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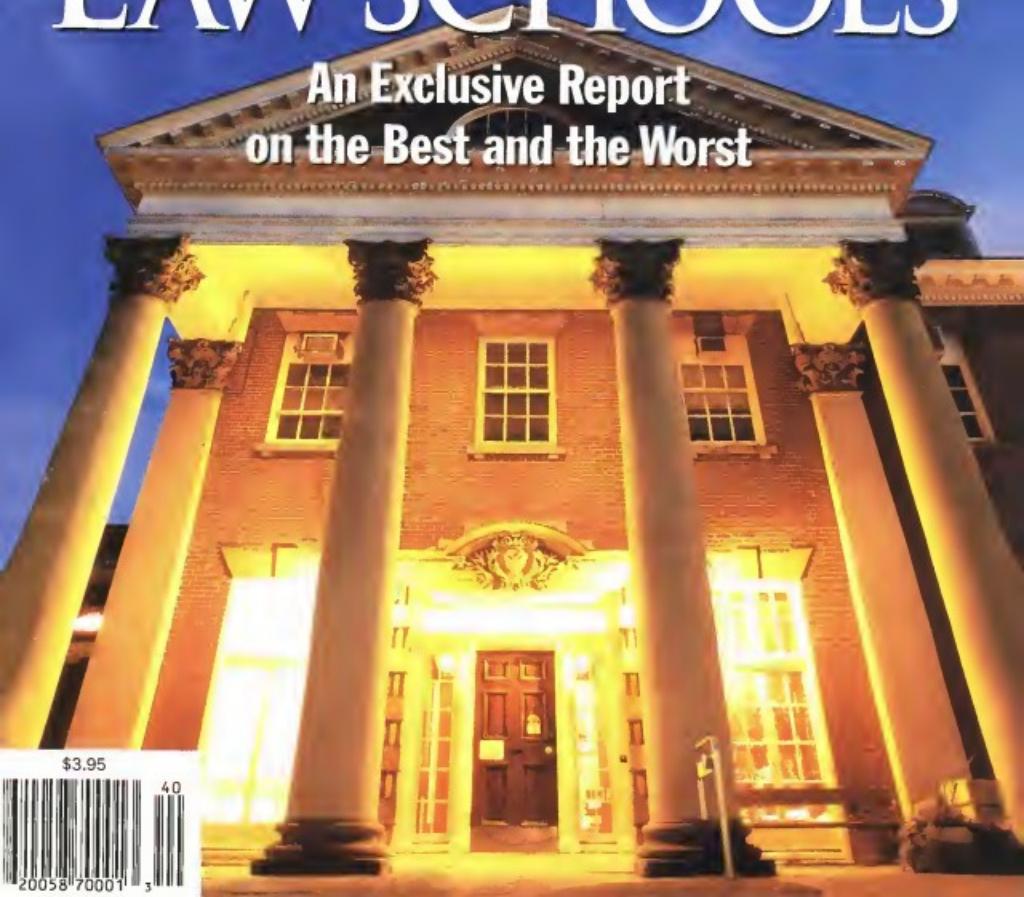
CANADA'S WEEKLY NEWSMAGAZINE

# Maclean's

OCTOBER 6, 1997

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# The Mail



Manning: 'outsider' thinking the media?

## Political insider

I enjoyed your article about your cover story which features Preston Manning as an "outsider" outside in the political world ("Preston power," Sept. 22). Is this the same Preston Manning whose influence was the genesis of Alberta from 1943 to 1989? Was he not a candidate for the Social Credit Party in the 1960 federal election? And didn't he not contribute to his father's book, Political Realignment, arguing the case for a reform party of the right to be called the Social Conservatives? Where are our ears? Or has the humble Prairie populist who moved from St. Boniface politics off yet another track in the media?

Bruce Gough  
Edmonton

I was intrigued by the concern that Manning's religious beliefs would cross over into his politics. Everyone who runs for office has an agenda. Why is a religious agenda more dangerous than any other?

Patricia  
Winnipeg, MB

## LETTERS TO THE EDITOR

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## Church and school

Educational reform is turning out to be a spiritual process for us who live in Newfoundland and Labrador. I back to the drawing board ("Canada/Education," Sept. 15). In tribal times, the Catholic church and the authority were the ruling class, and people were expected to obey or suffer the wrath of God. The church won and still is very instrumental in keeping women in their places and ensuring a class difference between rich and poor. The people have spoken, but the church insists on keeping them silent and servile. I want my son to get an education that prepares him for the world ahead of him and I want him to accept all people as equal. I also want him to have respect for women and to recognize that men and females are capable of the same goals. Prejudice and differences do not need to be taught at the school level. I for one, applaud the government's decision to proceed with change. The bugs can be worked out later.

Ruth Lameau  
St. John's, Nfld.

## 'Derogatory term'

Over the past four years, it has been the obsession of our land, George Big Sees, to prevent Newfoundland culture and tradition in a positive, respectful and enlightened way. As such, we have frequently spoken out against the use of the term "Newfie," which many Newfoundlanders find insulting and obnoxious. We were very surprised and embarrassed, then, to see the term used as a headline for a piece on the board ("Tories vs. Newfies," People, Sept. 18). Alan Doyle was even more surprised to see a derogatory term he never uses inserted into one of his direct quotes:

Alan Doyle, Bob Mulroney, Sean McGinn,  
Russell Power,  
Guest big sea  
St. John's, Nfld.

## The poverty solution

The secondary headline of the interview in the article "The costs of failure" (Ottawa, Sept. 22) concludes that "Two new studies link poverty and illiteracy." Too bad this is old news. Instead of proposing alternative solutions that combat poverty, the article criticizes government programs that support early childhood education. Unfortunately, the incidence of poverty doesn't end with

## Reform's religion

The story on Preston Manning was a fair and balanced choice of journalism. What a refreshing change from most news media! I found it somewhat ironic that a comment attributed to Murray Dobbin of the newsletter Reform Watch and intended by him to be a compelling criticism of Manning is, in fact, a compliment. Dobbin is quoted as Manninging "Everything about Preston Manning flows from his religious beliefs." Those who continue to perpetuate the antiquated notion that the voices of committed members of all religious faiths have no place in our political debate have been taken completely lack of understanding of not only the Christian Gospel, but also the guiding principles of all the major world faiths. The committed Christian has the obligation to stand firmly on the side of the oppressed and the victim. Often, this will have political ramifications as the status quo is challenged. Let's put an end to the self-servicing notion that the principles of our faith have no place in informing the robust political agenda.

Rev. David M. Ronning  
Jasper, Oct. 8

the start of grade school. Rather than pour money into education programs in an attempt to improve literacy we ought to be finding ways to address the root cause to attack the disease rather than the symptoms. To paraphrase Einstein: the old solutions get us into this mess; we'll need new ones to get us out.

Andy McRae  
Calgary, AB

## Asking for charity

The article on "The charity industry" (Special Report, Sept. 15) reads like an editorial supporting MP Julia Brynn's belief that the sector is rife with "mass manipulation and abuse." People such as Patrick Johnson of the Canadian Centre for Philanthropy who can offer informed opinions that directly conflict with this viewpoint are given half a dozen lines, while the bulk of the piece offers unopposed assertions that not just one but many charities are run by crooks, let out mercenaries or all three. You do note that there are no standard rules for calculating the proportion of revenue spent on programs versus administration, but then proceed to suggest that the low-level mark of your 30 specimen charities are wasting money due to their apparently higher ad-

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# THE MAIL

administration costs. Shouldn't at least one or two of them have been allowed to expand to those accountable? The thousands of underpaid staff and dedicated volunteers who work in Canada's charitable sector do not deserve this slap in the face.

By Murray  
Trotter '80

In reading your article on charity, the old proverb about the glass being half-empty or half-full came to mind. No mention was made of the one billion hours of unpaid time given by more than six million volunteers each year in a variety of causes and services all across Canada. The implications throughout most of the article is that charities are arrogant and unaccountable. The vast majority of charities follow rigorous methods of accounting for dollars expended and are adapting new regulations by the Canadian Institute for Charitable Activities as standard practice. At a time when charities are filling the void in set areas of need and by deep cuts to federal and provincial budgets, generalizations about waste and abuse undermine volunteer and staff efforts.

Al Trotter  
Executive director, The Canadian Council of National Voluntary Organizations  
Ottawa

## Unique is not enough

At the recent First Ministers' meeting, the provinces agreed to recognize the "unique" character of Quebec ("The unity challenge," Canada, Sept. 29). Unique is more exclusive than distinct and implies there is absolutely only one of its kind. We are offering more than even the secessionist ever asked for, yet Quebec premier Jacques Parizeau declares it is not enough. Both Protagonists like me might despair when the secessionists in Quebec effectively declare more is not enough.

For Edward  
Noyes Oct. 8

# The Road Ahead

## Making forensic evidence unbiased

**G**uy Paul Morin was convicted of a murder he did not commit in part because of biased and unreliable forensic evidence. Convicted in 1992 of killing nine-year-old Christine Missip, a neighbour in Gatineau, Que., Morin was exonerated only after DNA tests established his innocence in 1995. An inquiry is now examining that wrongful conviction.

We probably cannot do much to guarantee that every police officer, Crown prosecutor, witness, or even every judge will be honest and unbiased. But we can be extremely cautious that never approved forensic evidence is based in the way it is or the Norm is. We can do this easily and quickly and we should do it immediately.

The kind of bias can be eliminated simply by not telling a laboratory doing forensic testing where the materials came from and making sure that neither the Crown nor the defense is able to identify the source for the laboratory. This can be done by mixing fibers that might identify the criminal with a few matched pairs of fibers from sources unrelated to the crime. Each item would have an identifiable number and all of the fibers, along with their numbers, would be placed in the care of some fully impartial person. The forensic monitor.

Appointed by the judiciary or some other body, the monitor would have no connection with the police or the Crown. This monitor would be given a summary of results and then give them to a laboratory. The laboratory's job would be to compare each fibre with every other fibre and see if there are any matches.

No bias is possible in doing the tests, be-

cause the testers have no idea which fibres belong to whom. They may want to help the Crown, perhaps because of a desire to please the Crown, their usual customer, but they cannot tell what kind of results will help which side. When they find two fibres that seem to match, they would have no idea whether it would be helpful, harmful or irrelevant to the Crown for them to exaggerate the strength of that match. If those two fibres are in fact from irrelevant sources and are known not to match, saying that they do match could undermine the reputation of the laboratory. In other words, there is every reason for the laboratory and those who work there to be scrupulously fair and extremely cautious.

In addition to guaranteeing fairness, the procedure provides a test of the laboratory's accuracy. Since the fibres being tested include matched pairs from irrelevant sources, the laboratory must identify these as such. If it does not, it has failed the test. This would render that laboratory not reliable and fit its report inaccurate. On the other hand, if the laboratory does find the known matches, as other results are greatly strengthened. The laboratory has demonstrated that it is reliable and therefore we and the jury should have considerable confidence in the results.

Thus, by not telling the laboratory the source of the fibres and by including some irrelevant fibres that are known to match, we guarantee an unbiased report and at the same time test the accuracy of the laboratory. Let's do it and never again have someone convicted by biased forensic evidence.

Jean-Louis Hudon,  
Professor of psychology  
University of Toronto

The Royal Society invites you to submit specific comments to Canada's political, social and economic position. Unpublished submissions may be reviewed by regular referees or appear as anonymous bulletins online.

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# Healthy Bites

## Protected kids are healthy kids

Innovate your kids' on time, every time! That's the message from the Canadian Public Health Association, the Canadian Paediatric Society.



Canadian Medical Association, and Health Canada. They've launched a National Immunization Awareness Program to remind parents that children need to be immunized if they are to be protected from many serious diseases. So boost your kids' chances for health. Follow immunization schedules to the letter and make sure your kids complete their full course of shots.

## Who's allergic?

We don't always know ourselves as well as we think! An item in Women's Health Matters from the Women's College Hospital in Toronto reports that most people who believe they have a food allergy don't really. Although only about two percent of adults and four percent of children are truly allergic to a food or foods, surveys indicate that 30 to 50 percent of people think they are. This may be partly because allergy symptoms are sometimes mistaken for allergic reactions. At the recent international nutrition conference in Montreal, it was reported that food allergies can only be confirmed at about 90 to 95 percent of people who consult doctors for that reason.

From the Dairy Bureau of Canada

## Bioavailability is the operative word

Food labels don't always tell you what you need to know. For example, just because a food contains minerals doesn't necessarily mean you can actually benefit from them. Bioavailability - the portion of a nutrient that is actually used by the body - varies, and plant foods are often likely to contain minerals that are poorly absorbed. For instance, only a few soybean foods are naturally calcium-rich and of those that are, most tend also to contain other substances that can interfere with the body's ability to absorb calcium. That's why the American Council on Science and Health, in a recently released report on vegetarians, states that vegetarians who consume the daily recommended amount of milk products (two to four servings) are more likely to get enough calcium than those who avoid dairy foods.



## THE MAIL

### Patient mistreatment

I am not a great admirer of Quebec Premier Jean Charest, but I question the ethics of federal Liberal MP John Gutfreund asking for a psychiatric expert on a panel whose politics are antithetical to the Liberals ("The Charest file," Cover, Sept. 1). I question even further the validity of a report by a supposedly respected psychiatrist, Dr. Yvan Rakat, who has not even met the "patient" he is analyzing and who based his findings on media reports, some of which are incomplete or incorrect. We know that Charest has had a merciful political life. But surely we should object to the tactics used by Charest's opponents in discrediting him.

Asafai Jantzi  
London, Ont.

From time immemorial, history and recorded legends have shown as many who have changed their allegiance to family, clan, religion and political party to will their personal aims, whether for greed or honor. By naming Charest, we only play into the hands of hard-core separatists.

Dey P. Asanga,  
Begbie, Del.

## Limited access

While the budgetary and programming changes taking place at CBC Radio may seem significant, the one real change that should have taken place years ago will probably never occur. I am speaking about the expansion of the stereo network, now CBC Radio Two, to cover the same territory as CBC Radio, now Radio One ("Radio revolution," Metro, Sept. 1). However, CBC Radio announces plans to continue programs on CBC Stereo which are unavailable in many areas including mine, to my chagrin. By limiting radio access to classical music, drama, opera and discussions of cultural affairs to urban areas, which may already be well served by live music and theatre, the CBC is continuing to foster the belief that serious art is an elitist pursuit intended only for an exclusive audience.

Howard Gandy  
Yarmouth, N.S.

I feel I have to respond to the letter sent by Dwayne Johnson with respect to the relatively large number of CBC staff needed to produce the new CBC Radio show *This Morning* ("Radio drive," The Mail, Sept. 18). Johnson should realize that *This Morning* is a program that requires thought to produce, since it encompasses news and topics from the entire country. He speaks of radio stations across Canada that require less staff to run for 24 hours a day, seven days a week. This is possible because most radio stations

are run by a team of people who take turns doing different jobs.

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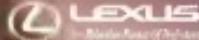
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Brian Peter  
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Tax Act not recognize this principle by permitting to treat each spouse as if each were a single person? Government in this country should recognize that family units are a partnership, and the tax system should nurture that partnership. Allowing spouses to split their incomes for tax purposes would be a giant step in that direction.

Paul S. Rosenblatt  
North Bay Del. '86

## Costly agreement

I read the article on the Multilateral Agreement on Investment that should test "fair investment" a couple of times and came to the same conclusion: Playing the politics. Environment, Sept. 10. Are we Canadian and our government really broken? No wonder Roosevelt and his crew went to jump ship. Whether NAFTA has been good or bad for Canada is debatable, but this further extension of multinational corporate power and intrusion on a country's sovereignty is appalling. Prosperity (or profits) at what cost? Loss of sovereignty? Further destruction of the environment? Taxpayer billions to companies like Enron Corp? Any politician or government even considering this should be checked over by Dr. Vivian Balakoff. Then we would see who is really certifiable.

Don Gillester  
Retirement

## Faith and leadership

Quoting Peter C. Newman ("Protecting Canada and the religious issue," The Nation's Business, Aug. 13). "Pierre Trudeau, Joe Clark, John Turner, Brian Mulroney and Jean Chrétien...none of the PMs allowed religious beliefs to determine their actions or policies." Has that led to the pressure we see? What kind of religion is it that does not affect one's actions?

Merton Peltz Willis  
Grove Brand, Ont.

## Splitting incomes

I read with a great deal of interest the letter from Charles Van Wagner ("Elasto-investing against homelessness," The Read Ahead, Sept. 10) advocating that couples be taxed on their joint income rather than as individuals as now is the case. The main reason middle-class society is worse off today than 20 years ago is due to the substantial increase in taxes that have occurred at all levels of government. At the same time, most if not all provinces today specify that property and other assets accumulated during a marriage are to be shared equally upon the dissolution of the marriage. Why then does the income

## The road to NAFTA

Your article "Highway lobbyists" (Date Line, Aug. 25) raised an important issue, but you may have sped by some of the chief features of the road scope. What is involved with the creation of North American Free Trade Agreement: superhighways is not, as Transport Canada suggests, simply providing responsibility over facts as much as national economic development. The original rationale behind NAFTA however was that it guaranteed Canada's access to American markets. As Washington has already recognized, however, simply having such theoretical entry is of lesser meaning if the necessary transportation corridors are not in place to allow market access. The rise of just-in-time production techniques has made the availability of dependable and efficient transportation a pre-requisite for a strong economy. In the short term, allowing Transport Canada to participate in the creation of a NAFTA superhighway would result in increased employment in the construction sector, and in the long run, a coordinated effort to place Canada squarely on the trunk transportation corridors of NAFTA would not only allow local firms to take full advantage of the opportunities afforded by NAFTA, but would encourage the creation of new businesses. The danger is, as you point out, that Ottawa will renege on "comfortable" promises from the backseat. Unless Chrétien spins the wheel, there is a very real possibility that Canadian industry could be excluded from trade routes than key NAFTA transportation routes, increasing the likelihood that NAFTA downstaters will be proven right.

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## Column



# Barbara Amiel

## How gender politics threatens freedom

I'm not certain it was official, but last week seemed to be prostate awareness week in the United States. There was the glow-in-the-dark face of Bob Dole on the TV set in his jolly post-political being, joking that he was the prostate poster boy. I yield to no one in my admiration for Dole's courage in the face of constant pain since his war-time injuries, but this revelation of prostate-active organ disease was not one of his finest moments.

In the course of prostate week, ABC television news related a telling statistic last year the amount of money spent on prostate can cancer research in the United States was \$80 million, for breast cancer it was \$250 million and for AIDS \$1.6 billion. In the United States, approximately 43,000 die annually of prostate cancer, which is just about the same number as those dying of breast cancer. The recent number whereby AIDS is slightly higher at 50,000. If anyone thinks science can't pain cured, take a look at the incomprehensible story these statistics tell.

It appears that Abraham Lincoln's promise of "... government of the people, by the people and for the people..." isn't quite living up to billing. Our political agenda seems to be primarily concerned with the gender and sexual orientation of special interest groups rather than with all the people. Which brings to mind, sadly, the insights of Sir Harry Summers-Mayer (1893-1988), genocide survivor of comparative jurisprudence at Oxford and of card law at Cambridge.

In his unusual book, *America's Law*, Maine defines progress as going from "states to contract." That phrase is key to understanding what is happening today. In early societies, Maine argued, people were born with a status that defined just about everything that took place in their life. Status began with family rather than with the individual. Status or birth determined whether a person would become rich or poor, married or lawyer, a prince's bride or a washer-woman. As we progressed, status was replaced by contract, which meant that individuals agreed among themselves to assume roles and duties they thought would be of the most benefit to themselves, and negotiated the best deal possible.

This ingrained shift from status to contract in the free world dismantled the class system and replaced it with the flexibility of democracy, monarchy and so on. The upper status in the early part of the 20th century, this process has been reversing itself. Both communism and fascism started in the Maoist model, one was either a member of the oppressed working classes or an enlightened Nazi. Mao adopted a world order in which people were Aryans or non-Aryans. In today's model, one is either a member of preferred gender group A (female) or of greater group B (male), one is either a member of a formerly dispossessed group benefitting from affirmative action and pay equity or a group passed by both.

Estimates showed, last week, a may court case in Virginia was

settled by plus language. A male sportscaster had been accused by his girlfriend of terrible sodomy and assault and battery (openly biting her). The judge ruled indifferently any evidence about her past sexual practices, leaving open the question whether or not, in their 10-year consensual relationship, the lady did or did not like to be bitten. Similarly, he ruled it irrelevant whether she had a history of trying to blackmail people when their relationship was ending.

This is status-based law: a law based entirely on one's status as a woman. In any other criminal proceeding, history directly related to the complaint would immediately be admissible as "regular act" evidence—but if it isn't, enjoys special status as a member of gender group A, this becomes irrelevant. No wonder the sportscaster pleaded innocent. One can only wonder what would have happened if Mr. Bobbitt had cut off the breasts of his wife while she slept.

The revision to states has manifested itself in many different ways, paralleling the growth of states. States, in which government organs extend into every personal, business and social arrangement, are laws, thereby of states rather than contract because individual rights are its greatest enemy.

The main enemy targets free society today is this revisionism. By now, all parties of the political spectrum agree that socialist revolutions are disastrous ideas. Even the left fails to show demand reduction while the latter shows China succeeds, economically speaking. —J. P. Morgan

But the victory of capitalizing over socialism does not in itself amount to a victory of capitalist dreams over the corporate state. Capitalism and free enterprise have co-existed with fascism. Today, states have simply shifted to the right-wing model. Donald Trump's医者已逝 in the right place, for example, but his methods are crude and brutal; he uses a race to cut off a people. His attempted health-care reforms are an example of right-wing states and a reversal from contract to status. His solution to cut costs by measures effectively forcing a new doctor's choice of where to practice or supply eliminating services will give consequences in both areas as the NCP goes to war.

One has to ask, is this the cause not simply the symptom—the symptom not just its people. We need a society in which people are free to choose private health care and when we can have private medical insurance. We need a society where, as recently happened, a Canadian does not have to go to China to build a private hospital but can do it freely in this country. We need, in Maine's definition, *progress*—that is, a society that stops thinking of citizens in terms of the status according to skin pigmentation, gender, sexual orientation or victimology, and remembers the value of individual liberty.

One can imagine  
what would have  
happened to  
Mr. Bobbitt if  
he had cut off  
his wife's breasts  
while she slept

# Opening Notes

Edited by RANDIKA WICKENS

## Whither the Bronfmans

Among Quebec's political and business elite, who is staying and who fleeing is of vital importance. Now, the owner and has turned to the rich and powerful Bronfman family. The catalyst was the recent departure of Tom Aworsky, who for the past 13 years has been executive director of Charles Bronfman's CIB Foundation, which produces Heritage Minutes for TV and movie theaters and supports a variety of charitable causes. Aworsky's move from Montreal to Toronto—so goes another office for the foundation—set off all kinds of speculation that Bronfman might be leaving as well. But Aworsky, the younger brother of Foreign Affairs Minister Lloyd Axworthy, is trying to downplay any wider implications. He says the foundation's head of finance in Montreal, where he has taken a small apartment for the day or two each week he expects to be there. And it was his wife, he says, that prompted their move. "Roberta," Aworsky says, "has an Ontario teacher's certificate and wants to resume her career as a teacher." And she specifically tries downplaying that the Bronfmans, with their grown children and long business interests, are leaving Montreal altogether. "They have nothing to do with Quebec," he says.

As of dry time a year ago, Bronfman is a chairman, with his brother Edouard, of New York City-based building giant Seagram

**Charles  
Bronfman in  
Montreal:  
where they  
will leave**



Co. Ltd., whose holdings include Los Angeles-based entertainment conglomerate Universal Studios Inc. And Charles Bronfman's Chipping Island, a Tel Aviv holding company, has become one of that country's largest companies. Not surprisingly, then, Bronfman and his wife, Andrea, are nearly in Nantucket. While they keep a residence there, they now divide most of their time between houses in Jerusalem, Palm Beach, Fla., and New York, where they briefly ran operations out of Central Park more than a year ago. He apparently likes the place; a Bronfman source says that he applied for the baseball commissionership, a position headquartered in New York. Montreal may still close him, but Bronfman is a man of the world.

## Boffo business in Beanie Babies

The cold, red Tick Me Elmo doll stopped eggplant months ago. And with the help of some school boards which banned the Thermogelts and its imitators, the summer's viral-pink monstrosity joined Hot Beanie Babies—now there's a tick that kids, and many adults, can grab hold of and run with. The palm-sized, curly creatures—essentially fluffed-up bean bags, which come in 80-plus varieties—initially sold for about \$9 each. And they have been so hot for so many months that Beanie Babies have become nearly impossible to find in some parts of the country. Some Vancouver stores, for instance, have less

of customers waiting for the real thing, and a black market has developed. The Internet has Beanie Baby Web sites, where discounters offer such as Dilly the Polar Bear (from \$10), or Humphrey the Camel (\$10). But the hottest—and most enduring—Beanie Babies is Maple Bear—a white bear with a Canadian flag on its chest. According to one chronic Ann Arbor, Mich., particular covet the creature because they cannot buy it in the United States. In one Vancouver store, 12-year-old Accessories, U.S. tourists have snatched up Maple Bears for \$150 each. Bill Marlowe, vice-president of distribution for Canadian Inc., says the Chicago-based company was not prepared for the toy's success. "We feel like a kid who has hit us." Or a hill of beans.



## The Moscow hustle

As part of its efforts to combat international smuggling, the RCMP has officers stationed at 20 ports around the world. But the Mounties recently assigned to Moscow received a speedier introduction to Russian lawlessness than they had anticipated. The officers—who requested for security reasons that their names not be used—arrived in a poshenvo vehicle skippered by the Canadian Embassy in Moscow. "It's a cliche," a gray 1985 Plymouth van, "he says. "I figured it would be perfect transportation for Moscow." A few—no, several—days later, the van arrived, one of the embassies' Russian drivers went to register it with local traffic police and pick up Russian license plates. But he had to stop. Entry into Russia—and out of the van—was from its parking spot in front of the radio station "Radio Russia," says the RCMP inspector. "I'd heard that they've hung around near the registry office looking for likely targets." Now, as we work with local police on an investigation in which he is a personal witness, Moscow's Mounties are still hoping to get the van.

## Sponsors' problems with the p-word

When Quebec writer Fabienne Larouche developed the idea for a television series about three photojournalists, she never imagined how topical the subject matter would become. "I thought it was a nice title," says Larouche of *Pégarès*, a 20-part drama that aired this week on the French-language private TVA network. But the word used to describe a breed of aggressive photographers now appears less suitable to the original sponsor of the series, Jean Coutu Group Inc., a Quebec-based pharmacy chain, and Volkswagen Canada, both of whom withdrew as sponsors after *Pégarès* aired on Aug. 21. Police are still investigating whether paparazzi played a role in the accident. Jean Coutu Group, which will re-air the series on Oct. 1, is advertising to other networks, and scrapped plans for a related promotional campaign using famous photographs to sell in greeting or unusual pictures. Still, Larouche will go on as scheduled. Local Volkswagen dealers will run some commercials during the series, and Larouche says other advertisers are interested. But she is not willing to predict what impact the controversy surrounding the paparazzi will have on the ratings. Larouche, 36, who cowrote the series with Réjean Tremblay, a sports writer at the daily *Le Journal*, and hopes it will prevent viewers to question whether public figures are entitled to a private life?

## No ghosts in her closet

Celine Dion's legions of fans will have no shortage of reading material this fall. Three books—two in French, one in English—on the easily successful Quebec pop star are slated to hit bookstores in October. But anyone looking for tantalizing八卦 that might detract from 25-year-old Dion's pure sexiness as the brassy, adventurous girl next door may be disappointed. *Kingpins*, Out-Becht-Berry Press' guarantee that its unusual hardcover biography, *Playing Out: The Story of Celine Dion*, by local author Harry Garry, "is not a book of revelations, it's a book of celebration." Says publisher Bob Hickey: "There's no need to discover; there are no ghosts in the closet." As for the other books due in October, the two Quebec pub-

## BEST-SELLERS

- FIC TIGER**
- 1. *Heavy Metal* (Coral Health) \$12
- 2. *Heavy Metal* (Merton Brindle) \$12
- 3. *The Underdog* (Jean Lapointe) \$12
- 4. *Party Animals* (John Doe) \$12
- 5. *The Girl With the Dragon Tatoo* (Stieg Larsson) \$12
- 6. *2003 Best Books* (Booksense) \$12
- 7. *Smash* (Eduard Sutcliffe) \$12
- 8. *Whores with Jobs* (Robert Ladd) \$12
- 9. *Age of Ignorance* (Colin Corlett) \$12

## AMMOTHEATRUM

- 1. *One Nation, Under God*
- 2. *America's Athletes* (Joseph McCourt) \$22
- 3. *The Black Who Lives in Normal* (Mike Mergen) \$12
- 4. *100% This Is It* (Peter Rodman) \$12
- 5. *Home Run: The Story of the Brooklyn Dodgers* (Edwin Levitan) \$12
- 6. *The Ridiculous* (Giovanni Merello) \$12
- 7. *The Big Book* (Doris Lessing) \$12
- 8. *The Inside Story* (Steve Young) \$12
- 9. *The Perfect Score* (Stephen King) \$12
- 10. *The Life of Margaret Laurence* (Sue King) \$12

10. *Prisoners with Jobs* (Colin Corlett) \$12

## Reviving a classic tale

For her new children's book, Little Red Riding Hood, Czech-born Toronto artist Janice Mariot travelled to Japan, where she did extensive research into the ancient tale on which it is based. Mariot's 25 paintings of 10th-century Japan colorfully illustrate her modern adaptation of the story of the Rose Princess and the Emperor.



Anna Friel

Toddlers are not the only ones getting details. "There will be revivals," says Evelyn Kalish, a spokeswoman for Les Editions Quebec Amereque. But she quickly adds that they won't be sensationalistic. "It's a biography that's very respectful of Celine Dion." Dion's husband, René Angelil, meanwhile, is vowing not to try to exert control over her image. Last year, for good measure, her Montreal-based lawyer transferred some scrubland in the Antiguan area into her name. The four appointments give the Liberals a four-seat edge in the Senate over the Conservatives for the first time since September 1990.

**HIGH** Fellowing and actress **Hilary Bellengen-Cobb**, 31, of a fatal attack, her Montreal home. A 40-year veteran of CBC Radio and television, she was best-known across Canada for *Our Home* (1976-1973), which introduced adoption pre-schoolers to French.

**COMMISSIONED**: Vancouver artist Christian Carabet, 31, to do a commemorative portrait of Diana, Princess of Wales, for the London-based Royal Society of Arts. The portrait, which will be presented to Princess William and Harry on Dec. 15, is Carabet's third work of art for the Royal Family.

# Passages

**FIRIED:** Baseball manager Otto Gostick, 53, by the Toronto Blue Jays. Hired as manager in March in 1989, the 45-year-old Gostick guided the team to nearly six seasons winning four division titles and the World Series championships in 1992 and 1993. Gostick, who will be a Canadian under-23 baseball coach, actually lives in Toronto, in the city African-American manager to win a World Series. But he was fired after four straight losing seasons, culminating in his team's last-place finish.



**APPOINTED:** Four new members to the Senate, by Prime Minister Jean Chretien in Ottawa. The appointees: former Lt.-Gen. Paul-Henri Routhier, 58, of St. Stephen, N.B., who gave up his Canadian Forces post after becoming Liberal party leader in 1993; Catherine Callbeck, 58, of Central British Columbia, P.E.I.; the former premier of Prince Edward Island; Senator Mary Alice (Peggy) Butt, 73, of Amherst, N.S., where she was co-chairwoman of social justice for the diocese; and Maria Ferreira Banks, of Montreal, executive director of the Italian-Canadian Senior Citizens Association. In order of birth, > Roman Catholic, who took a vow of poverty 40 years ago, could meet the Senate requirement of having \$4,000 in legal and personal property; her Montreal-based order transferred some scrubland in the Antiguan area into her name. The four appointments give the Liberals a four-seat edge in the Senate over the Conservatives for the first time since September 1990.

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# JUDGING CANADIAN LAW SCHOOLS

Law is almost unparalleled in its flexibility—a passport to power, or a ticket to lobby for societal change

BY ANN DOWSETT JOHNSTON

**I**t's Monday, barely 9 a.m., but the powder of *would* lawyers has already fled from the marble stairs and assumed their positions. Shirts crisp, hair styled into submission. Tugboats and cutters at the ready, the class of 2003 is armed for instruction—and a lively discussion of *Lochmaring v. Koenig*, King's bestowal property close to the University of Toronto, where, as this public September morning, the professor will focus her fire (and on the defense of *Perron v. Post*, 1805). At issue: the ownership of "a duly registered" flat Mr. Post has purchased with his hands, only to lose it to a "sawy criminal," former *Perron*.

Condeffed as a drab sergeant, King leads her group through the case, steering them through sticky issues of ownership, through historical precedents from *Judith v. Groton*: "What is possession and what do we want to reward by that amount? Was it fair to let *Perron* win?" she asks them. Silence, save wisps at the window. "We all know that Mr. isn't her," whispers one. "Isn't the judge making a close-bound decision?" asks another. Knop groans. "If ever there was an act to engage discussion of class distinctions, it is *Lochmaring*." A raised hand. "I know we've got an occasional weirdo out there in an accepted rule that judges use to decide what *libertatis* they can take!" Knop pauses. "The short answer is no."

As King's students make their first attempts at cracking the legal code, members of the graduating class are being groomed for the courtroom. In just one week, Justice Beverley McLachlin of the Supreme Court of Canada will

be in from Ottawa to preside over their Grand Moot, going down "from the breach through her intellect to seetheous performances. The entire law school will be watching a *Lochmaring*-only crowd. But for the moment, Pop-Law Schappert, having taken a final sing of her Five Alive, is rising, in grace joints, to make her submissions in her first practice case through. She has 20 minutes to make her appeal on behalf of the Crown, asserting that the felonious Mark James had committed an assault on the fictional Badlens Allie by infecting her with HIV through unprotected intercourse. Standing before her mock judges, her hands shake slightly as she makes her opening statement. But her voice is clear and sure. "Good evening, inbred, infidels," she begins.

Like most of her third-year classmates, Pop-Law Schappert already knows where she will be articling come June. As one classmate jokes: "You're looking at the highest concentration of people under 30 who know they have job #2 ready in advance." But Pop-Law Schappert, now 23, already had a master's degree and a smattering job when she chose to apply to law school, and she appears to have more than a employment. "I find the whole notion of advocacy appealing," she says, "of being someone in advocating and supporting people's rights. This may be somewhat altruistic, but I hope that there will be a moral high ground, whatever I end up doing."

Cynics, scratch your heads. Yes, the public's opinion of lawyers is at an all-time low in terms of respect, only lawyers rank beneath them. And it would seem that even lawyers themselves don't like new lawyers. In a



recent survey conducted by the Angus Reid Group on behalf of the Canadian Bar Association, lawyers agreed that the two greatest issues confronting the legal profession were the number of new lawyers and the downward pressure on legal income. "The good news is that the demand for legal services is going to grow over the next 20 years," says Reid. "The bad news is that cost will become increasingly important. A handful of super-lawyers will earn more money than God, but the average graduate faces a somewhat bleak future. Let's face it, when you can do your own will as a computer program, law is pretty accessible."

But is that such terrible news? In David Johnston's opinion, the declassification of what he calls "dusty pedestals" represents a liberation of sorts. In fact, the former principal of McGill and chairman of the federal government's Information Webpage Advisory Council, argues that there has never been a more exciting time to begin a law career. "Yes, it's possible to get admission on the Jane Frazer Act over the Internet and not pay an acceptance fee," says Johnston. "Lawyers should be very quick to give away that ability and more specific in how they function in our society. As legal professionals, we have a chance of leading that transformation from the older, more static society to the knowledge society—becoming increasingly redundant."

In this, what Johnston proposes can replicate in the legal field what Pogo-Lane Schappert is bringing to his career. Harry Arthur, former dean of Osgoode Hall Law School and president emeritus of York University, believes that art is one of the most precious contributions in the legal world—and one that is hard to preserve. Continuing the profession for its "artfulness or subtlety to accommodate the terrific needs and good sense" of new graduates, Arthur is scoffing about the article itself, which he describes as "the swooping of suitable attributes—agreements, concessions of money, deference to hierarchy—all the things you need to succeed."

Not surprisingly, Arthur is unsympathetic to the financial woes of the profession. "There is a God," says the professor. "And right now he is punishing rich lawyers." So, what is right about the system? "Law schools are performing a critical function in keeping the profession off balance so that they don't forget that

survey, which begins on page 30 with "The Grad Report," is a sampling of recent graduates on the quality of their alma mater. As well, Maclean's asked judges, lawyers and academics to comment on the quality of individual schools. Meanwhile, editors sent a seven-page questionnaire to heads of the 15 common-law schools, gathering a wide variety of vital information for the prospective student. Where are the brightest students and those with the highest LSAT scores? Where are the smallest classes and the niche libraries? The answers are right here.

ADJ

**Articus believes that law schools keep the profession off balance**

## To the class of 2000: become leaders in a more civilized world



what they're doing has big social consequences. The schools see it as their mission to transform attitudes and behaviors, to get lawyers to focus on the important issues: how do the rules work and how can you cushion their adverse impact on people?"

Pogo-Lane Schappert could do more than speak to John Harvie, a Winnipeg defense lawyer who mounted a ransom crusade on behalf of an 18-year-old Aboriginal woman last spring. After a night of drinking and drags, she and a local gang member had held up a Winnipeg career store. During the robbery, she had held a piping烫 iron to the cashier's neck. When the store manager yelled, "Saf her throat!" she had instead pulled the knife across, using the dull side. The Crown charged her with robbery and asked for sentencing as a teenager—she was 18 years old, with no previous record, who grew up on a northern reserve, to Ragoon," said Harvie. "We're at peace to start a life—she would have come out of there a criminal." Harvie believed that a sentencing circle was the most appropriate way to deal with the case, but the Crown was vehemently opposed. He spent weeks applying to the court to have his motion "There are recent amendments to the Criminal Code that say that particular attention has to be paid to the circumstances of Aboriginal offenders," says Harvie. "But there's a bit of a snag of nonnative in putting those changes into procedure. I had to fight for a day to get it made me pass."

In May, the Crown reduced the sentence. It was seeking five years less a day, and the one day circle was less a day, and the one day circle was less a day. Based on the notion that the circle of a community is broken by crime, the idea was to reincorporate the accused to make the circle whole again. The accused, her family and police—acting as representatives of the Victims' Assistance Program—agreed for what Harvie calls the most gratifying, emotional day he has ever spent in court. In the end, she was spared a jail term, and was sent back to her reserve, on an 18-month conditional sentence, to be followed by two years of probation. "If there's any chance we're going to break out of the prison-welfarehouse model," says Harvie, "we have to use different tools for restoration justice. But it took me years to understand that I could make this happen. If something rambles you, you can actually do something about it." For the class of 2000, these are words to live by. □

# ONE CUSTOMER AND THE PURSUIT *of a GOAL*



## ROYAL CREDIT LINE FOR STUDENTS

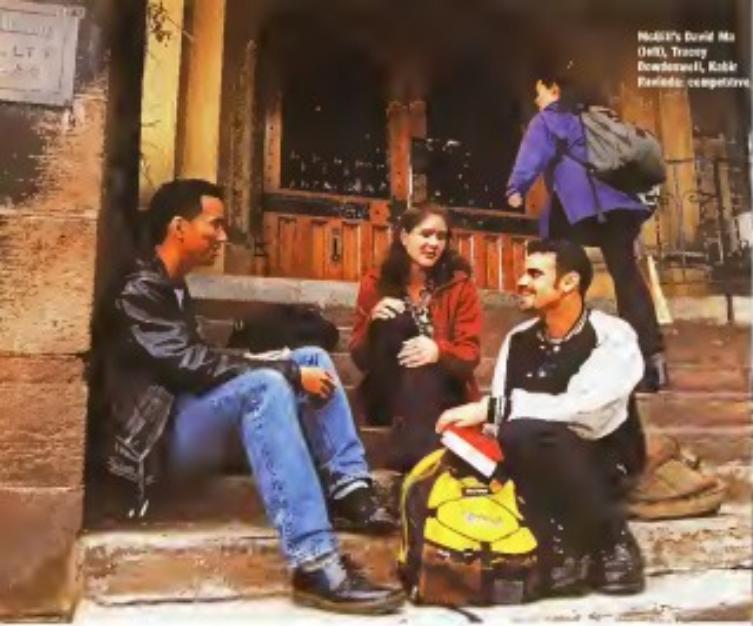
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## **Privilege and Pressure**

BY VICTOR DWYER

**E**ven on a campus renowned for its architecture, the law imposing campuses that house McGill University's law faculty are dazzlingly impressive. Their location on Stanley Street, just a stone's throw from the court martial battle and grey zone of downtown Montreal, only underscores their lust of grandeur. And the move-on clause will allow them to the world outside their iron gates. But just inside the largest of the four nestled in a spacious paved common room, a law library six stories high, Martin Shulman makes it clear that the outside world is on his mind. "This is an exciting and rewarding place, but a very intense place, too," says Shulman, who has an undergraduate degree from Harvard University. "Picture a Type A personality, such as thinking about life after law school, and such knowing that your future six months at a time may be truly torturing experience." Perhaps his concern is well founded. In the "bright light" of the law school's history, he says, "the thought of what

ents are a very privileged group—we all know that," says Velisek. "But the pressure begins on the first day of class, and it does not seem to end."

Only a small minority even make it through the door. Once inside, they are given the tools to translate their broad skills into an excellent income, impressive connections and considerable job satisfaction. But another is there denying the *profession*. As Valéant replies, Canada's law schools can be intellectual sweat shops. And political inefficiency, too, may by deep disease have driven students determined to challenge and even revise the justice system, and those who want simply to carry out a comfortable career within it. And if law school can be learned, the profession is now more or less as follows: in the 2000s, four out of five lawyers

Health & David Ma  
Ohio, Tracy  
Downeswell, Kath  
Revised competitive

or its time-honored and punishing woodlands. "If there is one oriented in the practice of law, it's hard work," says lawyer Stanley Baskin, who runs the Vancouver firm Baskin & Co. "There are many young lawyers who are talented, who know the law, but who don't have the perseverance to work full out, all the time. These days, doing 80 per cent isn't enough."

But for all the cushion, uncertainty and oil, the 6,000 students in Canada's 18-colleges and schools can count themselves among the losers. At most schools, four out of five who apply to take a LLB degree are turned away. Many institutions require a solid average and a score in the top 20 per cent of those who write the School Admissions Test (SAT). And demand is growing as more heated. Deans everywhere describe a sharp rise in the number of graduates applying from the hard sciences, as well as law, with master's degrees and PhDs. At the University of Victoria, student pressure has pushed up average entering grades 6.5 per cent and SAT scores by almost 15 per cent in just 5 years.

"The competition," says Dennis Cohn, "is fierce."

Once on the road to a degree, students can look forward to a good shot at a cosy wine. A recent survey by the Law Socie-

"It's there if you want it," says lawyer Rosemarie Harms & Co. "I see it as the law, but who's in the game?"

The 6,000 students themselves are among those who apply to take exams requiring a solid base who are writing as sharp as in the times, as well as in the future.

We offering students the chance to take house-drawn-harvested credentials—draining up with other faculties to offer joint degrees in everything from environmental studies to international relations. At several schools, including Toronto, Dalhousie in Halifax, Ottawa and St. John's, Georgetown, B.C., a third of students now choose a single law degree, putting in an extra year at the faculty of business to earn the formidable LLB/MBA. Cindy McGinnis graduated with just such a degree from Ottawa in 1992, and now manages the litigation department at computer software giant Corel Corp. in Nepean, Ont., where she also advises the company on broader areas of corporate strategy. "I think legal education," says McGinnis, "is better than ever." ■

University of Victoria law can also pave the way to a different kind of power—the power to educate, inspire, fight important social causes and less advantage social groups. Just 10 km from Gare's headquarters, Philippa Lawson, who graduated from Guelph in 1982, is co-chair counsel to the Public Interest Advocacy Centre. "The formula of identity, I once never been interested in the high-powered road," says Lawson, who has gone to bat for, among others, the National Anti-Poverty Organization, the Canadian Seniors Network and the Consumers' Association of Canada. "In the private sector, most lawyers have to raise the work that comes to them," says Lawson. "For me, job satisfaction means doing what you're on the right side of things."

But if a law degree can provide the entree to a lucrative and satisfying life, it also requires a lot of substantial effort, grinding stress—and, occasionally, naked terror. And it all begins long before law students head into their first moot court. Along with the need to produce these stellar academic transcripts, law school applicants must sit the LSAT, a three-hour marathon of mind-bending word games, math exercises and writing skills. Once at law school, students face a highly competitive atmosphere where, say many, the pressure line that separates them from the pack is "any very high level of individual success," says bloodied sophomore Patrick J. Gleeson. Among the evidence, an interview with a vandal who, as students were out the pages of library books to gain an edge on

now earn an income, the figure is that only a few can take home when work with 20 or more legal aid clinics is a ticket to the Canadian bar, but he does have a record of his professional activities. And corporations, even at losses, that trademarked "Virtue," "law and power rule" and "law schools."



be less aware  
of others about  
the shape of  
our education

Law Society of Upper Canada. Just eight years earlier, the figure was roughly 50 per cent. Such bare back rates, as they are known, are a bellwether of employment prospects across the profession. Not coincidentally are stories like that of Kevin Thompson, a University of Toronto graduate called to the bar in 1986. When his articling firm, Toronto's Geddes, Green & Chircowar, failed to hire him back, Thompson "spent a lot of cold calling" and spent eight months "bouncing from contract to contract," doing legal research and short projects for, among others, a small insurance firm and a real estate company. Dispirited by the experience he has now started his own firm, specializing in construction, engineering and intellectual property law, with a fellow lawyer. "I went into law school thinking that job prospects were far better than for people with law and MAs," says Thompson. "I came out realizing it is far more difficult than I had first anticipated."

The blame, say critics, lies in large part with the law faculties themselves. In Ontario alone, the number of lawyers has risen to 24,800 this year from 15,500 in 1978, at a time when the population has grown only 30 per cent. Canada as a whole has 90,000. Each year, roughly 2,000 more condominium lawyers hit the market. And while the law societies of British Columbia, Quebec and Quebec have all endorsed highly charged debates in recent years about limiting the number of new lawyers entering the profession, each has ruled decisively against such a move.

Heading into a crowded market, graduates also find themselves defending the fact that against a growing array of professionals specializing in so-called alternative dispute resolution. Often with only a college diploma or BA in legal studies, they are handling just about everything from child custody battles to labor disputes. Governments, meanwhile, are only helping to hamper the shambolic day-to-day work of lawyers' offices. New reforms in Ontario require most lawyers to accept mediation before initiating court. There is also a place where legal disputes can't be settled through an no-fault divorce and no-fault automobile insurance or making a short order of lengthy legal disputes. Across Canada, the dismantling of legal aid is forcing many migrants to drop their cases entirely. Says Michael Sanger, past chairman of the Young Lawyers Conference of the Canadian Bar Association: "Established lawyers are saying, 'I can't work to death.' Young ones are asking, 'Where's the work?'"

This question, in fact, is at the heart of a major debate about the scope and shape of legal education that has gripped Canadian law schools. On one side are those demanding that law faculty admit only the most academically accomplished and arm them with the so-called three pillars—jurisprudence and concepts of Canadian legal doctrine, and the skills to translate them into practice. Others contend that law schools must open their doors to historically disadvantaged groups, put more energy into analyzing fundamental issues of justice, and create courses that reflect a greater variety of human experience. The debate is prodded not simply by the stress of a tight market, but by the wildly divergent aims and interests of those who pursue a legal education. "In a business school, almost everyone is concerned with economic issues, and usually with making corporations more efficient," says Queen's professor Nick Bala. "Here, we have people deeply committed to many other issues and points of view."

Judi Edelen Gillies, when she was appointed dean of law at the University of Western Ontario in London last year, she faced a school known for its well-impassioned debates on such issues. One of her first official acts was to ask her faculty council committee, which is composed of students and professors, to undertake a re-



McGinn: a double-qualified degree and 'a real voice on the bigger picture'

port on curriculum change. "We are not a trade school, but there is a larger part of our student body that simply wants to practice law as a way for end to reflect," The report, released this past June, is short on specifics. But it does include a central principle: among other things, striking a balance "between material covering doctrine and that covering custom or perspective." And calls for greater openness to "different, even conflicting ideas in ideology."

While some schools—most notably Waterloo and Calgary—actually seek out students with a history of social and community involvement, most sensible to fill the vast majority of their seats with those who have top grades and LSATs. And most are abashedly deferring their right to do so. "To focus on other things is to open yourself up to questionable calls," says University of Alberta Dean Lewis Blair. Orlena Segars, that standardbred matriarch, in her own words demurs: "This is not medical school where applicants come with more or less one educational pedigree," says Toronto Deason Donnelly. "The strength of the LSAT is that it allows us to draw in students from across the spectrum, the liberal arts and commerce."

In fact, some law educators say that, as a profession as conservative as law, identifying too many applicants from less traditional backgrounds may be setting them up for a fall. Since it was established in 1989, 45 students have graduated from the university

## In the 1990s, law schools can be intellectual sweatshops—and political minefields

Black, Indigenous and Métis program at Dalhousie. But a faculty study released this past June revealed that, while many had found work in legal offices and as counsel in native organizations, only a tiny minority had been able to secure jobs with private sector firms.

In Ontario, meanwhile, 44 per cent of the 129 graduates unable to land full articling jobs by mid-August of last year were either disabled, aboriginal or members of visible minorities—although such groups make up only 18 per cent of graduates. "The law schools have worked hard," says Toronto criminal lawyer Clayton Rybka, who is also one of 40 teachers elected to govern the Law Society of Upper Canada. "But the profession has failed miserably

can make for high anxiety. Tight times in the profession have created major consternation for law firms, and with firms and agencies with a track record of offering permanent jobs. Adding to the pressure is the growing certainty that, whether the field is old or new, prestige is paramount. "Articling is the beauty pageant that sets the stage for what comes later," says Ontario Appeal Court Justice Rosalie Abella. "Where you article, the kind of experience you have is very much a predictor of the opportunities you'll get."

As a result, landing an articling position is as fraught with trepidation as the all-too-august final exams for which law schools are famous. In almost every province, students are matched with employers through a four-later process directed by the local law society. In Ontario, for example, initial interviews usually take place the third week of August, starting at 8 a.m. Monday, for openings in September of the following year. During interviews, says Karl Brinkin de Blaurose, "firms are strictly forbidden to ask students where they want to article." Other interviews roughly 100 of the 700 who apply filter across Canada—with the aim of taking between 25 and 30 students—and culminates in top choices to the law society. Students do the same. One week later, the society lets both sides know who will work where.

While landing a position is often nerve-wracking, articling itself can be a sobering reality check. "Articling didn't get enough of the practical end before that stage," says Lat Liu, a 1990 graduate of UBC who is now a litigation associate at Vancouver's Benham & Co. "You get a law degree, you're sent out to articled and you have absolutely no idea what it is lawyers actually do." She and others also question how much articling, in turn, prepares graduates for a life in the profession. "When I went to school, I never spent a great deal of time with students," says University of Calgary Brain Michael Whyte. "But with firms so focused on the bottom line, that isn't always the case anymore." Certainly Liu thinks that she did not get the broad experience she would have liked. "Unless you really searched stuff out," she recalls, "it was pretty hard to get on a next file but actually went to court."

Part of the problem, say many, is the bottom-line mentality that pervades the profession. "Law has become a business," says Toope. "Not so long ago, it was a profession"—and one in which more experienced lawyers were expected to mentor their younger colleagues, both at the articling stage and beyond. To fill the breach, several law schools are now beefing up their career calendars with an ambitious range of certificate and graduate courses. Among the leaders has been BGSU, which in 1985 significantly expanded its part-time master's program. It now enrolls 400 practicing lawyers in 10 areas, including international trade and competition law, securities law and alternative dispute resolution. "The method professor has been doing the kind of thing for some time," says Dean Marilyn Pilkington. "It's high time law did as well."

Meanwhile, frustration with articling has led to an even broader



Bennett: intense competition for students with stellar transcripts and big LSATs

with these students, who often find themselves jobless and in major debt. It's simply unacceptable."

Female graduates face their own obstacles—even though women occupy roughly half the seats in Canadian law faculties, and have succeeded in raising feminist legal theory a standard of its own in most calendars. A 1986 report by the Law Society of Upper Canada, entitled "Women as a Changing Legal Profession," found that women were making only 80 per cent of men's salaries in some areas of law. And the wage gap continues with in its own glass ceiling: only 15 per cent of women had been awarded partnership status in their firms; the figure for men was 30 per cent. "No matter how much law schools charge who and what they teach," says Dean Stephen Toope of McGill, "the real issue may be that we are leading certain groups on, and then dropping them into a system that refuses to change."

How Canada's law graduates are dropped into that system is also a matter of substantial controversy. Articling, the obligatory year of on-the-job training that precedes entry into the profession,

debate whether the entire road to a legal career needs to be shortened. "Demanding that students take four years of university before they even get their first refresher" argues Wiles. "It has become the norm only because of the competitive nature of the process." In the eyes of many, stretching does little more than add another year of poverty to students already in debt. Under Boulton's plan, law students in their Toronto office pay \$40,000 for their 12-month stint. But the law societies of British Columbia and Ontario have in recent years found students applying for so peu at all. McGill's Green says he knows of some who have worked for \$30 a week in downtown Montreal. "Law school is a long, expensive process," says Nella. "It may be time to examine other less financially prohibitive ways of doing it."

SOL, with demands for the LLB so high, is unlikely that schools will lower the requirements of entry—their programs or the profession—anytime soon. In fact, demand is so great that some deans are now discussing whether they should follow the lead of their counterparts in basic new faculties, and deregulate tuition. The idea was floated by the Council of Ontario Universities as far back as 1993. At Queen's, Prof. Tala says schools "have been feeling informal pressure, from governments, to go in that direction." And although Tala's own has decided a notion that she says "severes all the students will all get prestigious, high-paying jobs," some other deans predict that the cost of a law degree will one-dimensionalistically rise.

One of those is Toronto's Daniels. In recent years, he notes, Ottawa has sliced transfer payments to the provinces for higher education, health and social services. "It is a gap," says Daniels. "That cannot be bridged by regulation alone." And it is one that is leaving Canadian law schools increasingly funded than ever against their main competitor. U.S. dollars spent between \$25,000 and \$30,000 annually on every law student, the comparable figure in Canada is \$11,000. The result, says Daniels, many of Canada's very best students are jumping ship. The evidence of those who turned down an offer of admission at Toronto this year, more went to Harvard than to any single Canadian law school.

As requesting the green light to raise fees significantly soon time in the next several years, Toronto is already working to implement what it calls a "student" law program. Under the scheme, graduates who have borrowed for their degrees will be offered one year relief—and ideally some help with payments on the principal—from a special fund raised through student donations. The only requirement: they must earn a income below a specific level (which has yet to be determined) and work in such public interest areas of the profession as refugee centres, women's shelters and community legal clinics.

This strategy to channel more lawyers towards public service careers may well be a defining characteristic of Canada's many law schools as they head into the next century. In recent years many law faculties have opened community legal clinics, where students gain credit for volunteering advice to those who could not otherwise afford it. Osgoode, which has survived such clinics across Mar-

opolitan Toronto, is set to open another next month to provide free legal advice to small business owners who have been referred there by social service agencies. At the University of New Brunswick, which Dean Anne LaTour says is too small to support its own clinic, the law school has begun encouraging students to volunteer their time at the Fredericton Legal Aid Centre by giving credit for term papers about the experience. Just last month, a group of UNB students formed the Poverty Law Society to co-ordinate student slots at the clinic.

The hands-on approach to law clearly serves as important teaching function as well. "I came into law school with that Perry Mason, big-player view," says Rob Bowman, one of several students who landed a position at Queen's legal aid clinic this past summer. "This was the final time I got my hands dirty with things like shopping carts, drunk-driving charges, bar fights—what's real world is the real world of law."

## Does the road to a legal career need to be shortened?



**Student Paul Feltz advising client at Disburse Law Clinic: unrefined expertise**

In the end, Bowman's words—*and his changing perspective, speak eloquently of what may be law school's greatest strength.* The exhaustive workloads, the highly charged debates, the unsworn experience of arbitrating and clinical work all make for a credits of sorts. "I think the main thing a legal education helps you develop is the importance of asking yourself the difficult questions," says former Ontario premier Bob Rae, a 1957 Toronto graduate and now a partner at the downtown firm of Greenberg, Phillips and Vinsberg. "It forces students to look at things from a number of points of view, and to take nothing at face value."

Including their own futures. "Anything can happen here," says McGill student Valack, who this term is heading to the Czech Republic to do his final year of law at Prague's Charles University. "There, some people who come here looking to save the environment and the underprivileged people of the world will do that. But some of them are now looking into becoming buyers for major firms," says Valack. "The point is, if you make it through a law degree, you can do any of those things. Or at least, you can try."

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# The Professional Frontier

**Law graduates are making their mark in a wide range of fields**

## HEALTH LAW

**I**t's a patient's right for physicians that he or she has the right to know what is done to the doctor legally obliged to tell the patient? Should a woman be allowed to abort her fetus safely on the grounds that a doctor predicts the child might have a severe genetic defect? Do people have the right to die in circumstances of their own choosing? These are just some of the complex legal and moral questions in the burgeoning area of health law, and in the search to find answers, physicians, nurses and hospitals are often turning to the courts, and to lawyers. One of those is Jennifer Miller, an associate with the litigation office of the law firm Brousseau jeans Verville, who earned her law degree from the University of Alberta in 1983 after working as a research associate with the university's life with Law Institute.

While Miller is interested by several of the more profound ethical and legal questions facing medicine, she notes that there are also important issues arising from the day-to-day decisions placed on doctors by demanding health-care funding. "It has become a very complex job to be a physician," says Miller, who adds that for the U.S. justice system, where medical malpractice suits are common, is having an effect on Canada to more differentiated patients take their health care complaints to court. At the same time, she adds, "a 1986 case study has only aged the issue." Many people feel that if the physician can travel across the country, doctors should be able to care for those disease or repair their heart or improve their appearance to a standard of perfection.

According to Anne Jackson, 25 executive director of the Law Reform Commission of Nova Scotia, many of the most important issues in health care involve women. A 1986 graduate of the University of New Brunswick law school, Jackson went on to get a master of law degree from Dalhousie University in Halifax in 1989. Her thesis, "A Feminist Analysis of Assisted Suicide," Jackson's interest in the subject was piqued by a three-year study that she worked on for the Law Reform Commission, at which she dug up several living wills—legal documents that give detailed instructions for a client's medical treatment in the case of gross injury or illness. Her passion was also fuelled by the highly publicized case of Sue Rodriguez, the Victoria woman who suffered from amyotrophic lateral sclerosis, also known as Lou Gehrig's disease. In 2003, Rodriguez took her own life after being denied the right



is an assisted suicide by the Supreme Court of Canada. Jackson says the Rodriguez case is only the tip of the iceberg. In an aging society, where women make up a large proportion of the frail and elderly, she predicts that patients and doctors will increasingly look to the courts for guidance—and to lawyers to argue their cases. As it stands now, "the law is a crude instrument to deal with what are sensitive social issues," says Jackson. "We need more flexibility for such grey areas."

DALE EISLER

**MILLER** *surveys for answers to a host of complicated legal and moral questions*



## HUMAN RIGHTS LAW

**S**he was an abused child with emotional difficulties. And in 1989, after Linda Muir, then 34, was incarcerated in an Alberta government facility for children with mental disabilities, she was horribly starved. Four decades later, Muir said, and was still 870 days in disgrace for gain and suffering. At first glance, Muir's case seems to be a straightforward, if tragic, personal injury suit. But to her lawyer, Sandra Anderson (Calgary, class of '89), it was more than that. "The basic issue," says Anderson, who specializes in cases involving the abrogation

**JONES** *an early Supreme Court victory in the quest for fair and equal treatment under the law*

of fundamental human rights, "was whether you can treat people who have an impairment differently than you treat normal people. The absence of fair and equal treatment under the law creates situations where groups of people are treated horribly."

It is an issue that transcends borders. Leanne MacMillan (Dundas, class of '90) works as the refugee program co-ordinator at Amnesty International's headquarters in London. "Students did think more widely," she says. "There are more ways to use a law degree than on a law firm." In her case, MacMillan prepares reports for United Nations' agencies on the treatment of refugees, in an effort to convince governments to honor their human rights commitments under international treaties.

Sometimes, broad human rights laws can run afoul specifically in the context of other cases. In 1994, Hodson lawyer Dorothy Jones (Dundas, class of '92) successfully defended a young offender charged with assaulting a police officer. The judge in the case, a black woman, accepted the youth—and added that the white officer's handling of the boy reflected the poor treatment of minorities by some officers of the Hodson police force. On the basis of those remarks, the Crown appealed her ruling. Jones fought the appeal—and eventually had herself argue in front of the Supreme Court of Canada, for the judge's right to apply her life experience as a black woman when assessing evidence and overseeing a decision. "Politicians have tried to increase the number of women and black people on the bench," says Jones. "But if you can't say something based on your experiences, what's the sense of being appointed?" Last week, the Supreme Court ruled 6 to 3 in Jones's favor.

DARCY JENKINS

## NATIVE LAW

**F**rom law practice at the remote Opaskwayak Cree reserve in Prairie Albert, Saskatchewan (class of '77) has evolved into one of Canada's most controversial legal cases. In the early 1990s, Martin represented the family of Lee LaChance, a Cree trapper who had been shot and killed by Carter Nolin, a Prince Albert gun-shop owner with links to neo-Nazi groups. Martin spoke before a public inquiry into whether Nolin, who had received four years for manslaughter, had gotten off too lightly. The inquiry upheld the verdict—but raised fundamental questions about whether the original decision had been influenced by racism.

Then there was the case of Billy Taylor, a Cree from La Ronge, Saskatchewan, who was convicted of raping his dormitory roommate with Taylor's consent. His punishment was to be sentenced to death by a native sentencing circle, which imposed him to an unanchored chair for 100 minutes. The Crown appealed Taylor's sentence. Four years in prison—and appealed the ruling last year. Muir argued Taylor's behalf. As it stands now, the Appeal Court's decision, Muir says it's high time to let native Canadians have a greater say in determining their own rules of justice and punishment. "We always look towards positive measures," he says. "But



**TELLER** *the idea of working just for money escapes me*

not better to get some input from the community, and start the healing process?"

As Martin works to place those questions in the public eye, Toronto-based lawyer Jean Marie Teller (Toronto, class of '94) is putting together a related group of issues before the courts. The great-grandmother of 19th-century Métis leader Louis Riel is an impassioned advocate of the rights of her people. Among Teller's recent cases is one concerning fishing rights in Marten River northwest Saskatchewan. In 1985, two Métis from the isolated community of Turner Lake had been charged with violations of Saskatchewan fisheries regulations. Among the charges: not marking their sets properly and fishing without a license. Teller maintained that, because those regulations do not apply to natives, they should not apply to Métis who rely on the fish for food either.

The full judge agreed. Although her vocation is not lucrative, Teller says it is rewarding to put her education towards a cause she believes in. "The idea of working just to make money escapes me completely," says Teller. "Are aboriginal people who really are in great despair and in desperate situations I don't think I'm going to be the answer to their problems, but I think I can help."

TRAVIS HOGGMAN

## INTELLECTUAL PROPERTY

**A**t first blush, it all sounds pretty dull: patent applications, copyright protection, trademark enforcement. In fact, the area of intellectual property law is one of the most exciting and rapidly evolving fields of the legal profession. And one that tries to answer difficult questions: How can designers, software and patent laws, created to protect everything from widgets in great boxes, adapt to software codes or a newly discovered gene? When rights of data can be quickly and cheaply exchanged on the World Wide Web, how can a company's proprietary interests in vital information be protected by law? In the quest to tackle such issues, Elizabeth Williams gave up a career as an archaeologist to pursue what she calls a "fascination with copyright and how it works." A 1986 graduate of Douglass Hall, 32-year-old Williams is now focusing on high-tech law at McCarthy Tetrault in Toronto, where her day-to-day work includes registering copyrights for software developers, investigating trademark infringements and advising clients on how to protect closely held business secrets. "I enjoy watching the development of this law," she adds, "and sometimes even pushing the envelope." And the personal benefit? "I love the clients," says Williams. "High-tech firms tend to be young and fast-paced—I get a sense of being a stockholder in significant business developments."

Even an more established area of the economy, intellectual property law is a hot field. "In this industry, it sort of impacts everything," says Rick Neale, the 32-year-old director of corporate development and general legal counsel for Novagene Biotech Inc., a Toronto-based biopharmaceutical company. As a generic manager over a biotech science team—products derived from living processes—Novagene Biotech aims constantly to keep track of advances in the industry. The company's R&D team is currently trying to push the frontiers of HIV research, as well as others.

And although Neale is not an intellectual property specialist (management and general legal roles comprise the major part of his job), an understanding of patent law he says is crucial to his industry. In many cases, he notes, science is preceding the



Williams adapting the law to software codes and newly discovered genes

development of new laws. As a result, what many consider to be profound ethical issues about who should be allowed to own "biotic" matter—whether a strand of DNA or a blood sample that may hold the clue to the HIV virus—remain largely unexplored. "It is such a broad new area," he says. "There are still many questions about what is patentable and how you protect it." Neale, with an undergraduate degree in chemistry and microbiology, and a 1993 LL.B./MBA from Dalhousie University, Novagene clearly enjoys the legal and business challenges of his job. "I can use my science, my law degree, and my MBA all at once," he explains. "And it's nice to be able to say, you know, I'm working at a company that's trying to find a cure for cancer."

JOE CRIBLEY

## ALTERNATIVE DISPUTE RESOLUTION

**B**etter to negotiate, says Bill Stitt, than litigate. Much better. Stitt is a committed advocate of alternative dispute resolution, also known as ADR, a growing field whose goal is to settle civil conflicts through negotiation and mediation rather than in the adversarial atmosphere of the courtroom. By bypassing the courts, which are usually restricted to choosing winners and losers and handing

monetary awards, the alternative dispute settlement process uses more creative, confidential means to resolve conflicts. After a successful mediation, people feel good about the outcome," says Stitt, 35, a 1988 graduate of the University of Windsor, who went on to earn a master's of Law degree from Harvard University in 1992. "They don't think they have been beaten or that the system has done them harm." And by managing disputes that involve family members or closely held partnerships, Stitt, 32, former co-owner of the Winnipeg Jets hockey franchise, and current proprietor of Stitt's, a national chain of women's clothing stores,

ADR to others in the profession. He teaches a class on the subject at the University of Toronto law school, and, in conjunction with Windsor law school, offers courses in mediation throughout the province to practicing lawyers.

From his office in Winnipeg, business-motivational lawyer Harvey Seiter argues that ADR is a particularly apt way to solve commercial disputes that involve family members or closely held partnerships. Seiter, 52, former co-owner of the Winnipeg Jets hockey franchise, and current proprietor of Stitt's, a national chain of women's clothing stores,

Photo by Alvin Karpis/Contrast; butterfly by Gregor F. Koenig



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## CRIMINAL LAW

They have much in common: distinguished academic credentials, budding legal careers—and an abiding passion for criminal law that in many ways, Andre Marin and David Tannenfeld embody. Both sides of the adversarial system that underpins Canada's criminal justice process. Marin (Ottawa, class of '80) is the director of Ontario Special Investigations Unit, the government's civilian-led police watchdog. "I have always been attracted to the idea that those who transgress the rights of the collective should be vigorously prosecuted," says Marin, 33. Tannenfeld is an accomplished criminal defense attorney whose mastery of the laws of appeal is about to earn him a partnership at Toronto-based Phillips Lytle. Says Tannenfeld, who graduated from Queen's University law school in 1982 before earning a master's degree in law from New York University: "I look upon criminal law as the place where a whole complex maze of human and legal rights are both defined and protected."

An area of only a handful of Canadian lawyers whose practice is devoted almost exclusively to launching and executing appeals, Tannenfeld, 31, freely acknowledges that he has never appeared in trial court. "I spend 90 per cent of my time combing through transcripts," he says, "looking for legal errors." At the moment, the lawyer has several complicated appeals awaiting judgment.

Among the most contentious is a constitutional challenge against provisions in the Criminal Code that allow police to obtain a warrant to seize blood for DNA purposes. Marin's criminal law skills, by contrast, were honed in the courtroom. One day after being called to the Ontario bar in 1991, he joined the Ottawa Crown attorney's office. "I come from a law and order background," says Marin. "My father is a judge, my brother is a constable, my father-in-law is a former police chief." During his five years as a Crown attorney, Marin developed a reputation for handling difficult, often sensitive cases, including the prosecution of then-sitting Conservative MPs Maurice Tremblay and Gilles Bernier. Tremblay was found guilty in 1993 of three fraud-related charges connected to the use of \$55,000 in public funds to send three members of his legislature, Que., riding association, and their wives, on a trip to Mexico. The conviction was later overturned on appeal. Bernier, now Canada's ambassador to Paris, was charged, and subsequently cleared, on two counts of fraud and breach of trust for employing relatives in his House of Commons payroll. Marin also directed the prosecution of the perjury-district setting case in which an Ottawa man was convicted of sexual assault in 1988 solely on the basis of the three-year-old victim's out-of-court statements. In his current job, Marin oversees the agency that examines all police misconduct involving sexual or serious injury. "It was made for the job," he says. "I see it as a perfect model to put my expertise as a prosecutor and an investigator to work."

BARRY CALLE



Horsman: making the legal playing field 'a little more even'

## ADVOCACY

Montreal-based lawyer Anne Horsman once found herself defending a single mother of two who had been charged with writing four NSP cheques. The woman admitted to the offence—but said she had done so in order to buy groceries for her family. In court, Horsman intimated that even she admits was a last-minute defence. She brought in economists and nutritionists who testified that the amount of social assistance her client received made it impossible to feed her family and meet the basic requirements of the Canada Food Guide. Knowing what is known as a defense of necessity, she argued that her client had little choice but to write the bad cheques. In the end, the client was found guilty. But she was also discharged and served a jail sentence. "The courts are not the place to change social policy," says Horsman, 48. "But sometimes they are the only thing left. And although not all my cases involve the poor, Horsman (University of Montréal, class of '81) has gained a reputation for defending women and children, cases at which are fighting welfare fraud charges. Horsman, who admits that sugar is often a motivating force for her, realizes she won't change the world. "I just want the playing field to be a little more even," she says.

A desire to defend the underdog is also what drives Lee Mitchell, a 1989 graduate of Osgoode Hall. After a year in private practice, Mitchell, 35, joined a Toronto-based legal aid clinic called Justice for Children and Youth. Among Mitchell's clients are teenagers charged under the Young Offenders Act and seeking financial support from parents who have kicked them out of the house.

Mitchell is well aware of the widespread perception that young offenders are treated leniently by the justice system. But he contends that such views are based on false assumptions about the growing level of youth crime—and a general lack of human empathy for young people in desperate straits. "Many have been rejected or shamed by their parents," says Mitchell. "They may act tough, put on bravado, but it can be a very sorry situation." And while he knows that he could be preaching a more lenient brand of law, Mitchell says he derives intense satisfaction from his work. "It's a very human level of law, one that deals with individuals who have no one else on their side," says the lawyer. "It matters to me when I win or lose a case because I really do care about the client."

BRIAN BERGHAUS

## ENVIRONMENTAL LAW

It is quickly becoming an urban green, a three-kilometre-long stretch at the heart of the city where bright water-lights line the base of glass towers and children race along green footpaths. New coal need not still辱ify the shores of False Creek were a pristine site of raw muscle industry. For most of its first century of existence, this was where Vancouver got much building the timber and gear for a sprouting up country. But yards, coal yards and ship-yards all located there. Shifting sand slowly eroded forests to acres of rotted drifts. One turn of the century factory converted coal to gas for the city's first electrical plant, all the while dredging a lot of dirt into the surrounding area. Now, it is the rest of the postindustrial remains that is to be cleared up, building site by building site, as False Creek's metamorphosis continues. Helping to lead that task is Margaret Ericksen, 33 (UBC, class of '88). "My job," says Ericksen, "is part right, part management, part government liaison."

The environmental field of environmental law, Ericksen's assignment lies where the rhetoric of advocacy groups and the good intentions of legislators confront the gritty complexity of the situation on the ground—literally. One recent responsibility was to ensure that a load of contaminants met every legal requirement for soil transportation into the United States. And as science dictates and she evaluates

threats to health or the environment, the legal terrain is constantly changing. "There is a plethora of law, regulation and policy to wade through," says Ericksen. "And a lot of environmental law isn't black and white, either. That's why I like it—it's evolving."

Some of the most exciting frontiers lie where the law is trying to tackle issues that environmental activists wouldn't imagine. As one co-founder for West Coast Environmental Law, a public interest advocacy group funded entirely by B.C. lawyers and others, Chris Boileau, 36, will find a place in the red of September to share ideas with others. Their medium-term goal is to achieve a 20 per cent cut in global greenhouse gases by 2005. Issues will include how to induce countries from wayward states and corruptive individuals, both of whom must change their ways if the target is to be met. As they struggle to find practical legal language that will accomplish that, Boileau and others like him are pioneering uncharted territories between existing, and vastly different, national systems. When it comes to environmental law between nations, the University of Victoria graduate ('88) says, "There is very little to go on. You're really building from the ground up." In few other fields does the popular adage to "think global, act local" sound as apt—or bold as much challenge.

CHRIS WOOD

## ASIA-PACIFIC LAW

Among economists and business strategists, the conviction is growing that the first 100 years of the new millennium will belong to the Pacific Rim as spending hundreds of billions of dollars to bring living standards in the world's most populous nation closer to those in the West—expanding its economy by 10 per cent a year. In its wake, half a dozen so-called little dragons are also developing, from the Korean Peninsula south to Indonesia. To Canadian lawyer Olivia Lee (UBC, class of '91), that represents opportunity. "Asia is becoming a financing platform for China and Chinese entities buy into Hong Kong companies," says the 34-year-old lawyer. "There is a shortage of lawyers."

The opportunity is particularly clear for Canadians. Now a member of the Hong Kong Law Society and a partner at the firm of Oiler, Hesky, Hesky, Lee notes that "investors don't trust Chinese lawyers, not yet." Instead, most seek out lawyers trained in the West to work alongside their Shanghai or Beijing-based counsel. At the same time, the growing number of investors the across the Pacific has produced a surge in demand for legal services. Among Lee's files has been an initial public offering on the Toronto Stock Exchange of shares in a Philippine-owned mining company,

as well as several private placements and advice to investors in joint ventures with partners from inside the People's Republic. With all that is going on in Asia, notes Lee, "there is a high demand for common-law-trained lawyers in securities, commercial and corporate finance."

Beyond giving legal advice to investors, Canadians are also taking a hand in the drive to return civil rights and political power. From her desk at Toronto's Stikeman Elliott, Lee is giving pro bono time to support groups in China that are pressing for improved protection for women. Four months after graduating from the University of Toronto Law School in 1995, Chang attended the United Nations conference on the status of women in Beijing, coming away convinced that "there is common ground" on the issue but, she adds, "the system is so new that they had to start just trying to get people to understand basic definitions, such as discrimination against women and why it's wrong for women to be at the burden of economic reform."

Like Lee in Hong Kong, Chang is optimistic about China's progress. Similar confidence for the long term, fuelled with a degree of caution, prevails for most of the rest of the Asia-Pacific region. It is an outlook full of promise for Canadian lawyers with a yen to participate in the coming Pacific century.

CHRIS WOOD



Chang: economics, service and political reform

Ericksen: a  
thriving field in  
which the terrain is  
constantly changing



## INTERNATIONAL LAW

On a day last May, Peter Slobin was poring over dusty files in an archive just off the instant-colonial expanse of Red Square in Moscow. Among other long buried files, he found copies of documents stamped, in Russia's Cyrillic script, "Top secret." The papers were neither hot political documents nor military secrets. They were 19th century copies of the civil code of Napoleonic France, which Commonwealth economists had kept hidden for fear that Russians might discover such forbidden treasures as the right to private property.

Now those files are being pulled into the bright light of day. The Russian President Boris Yeltsin has put the country's leading legal minds to work translating Soviet-era laws. Slobin, 36, an associate from the Advanced Program at McGill University's faculty of law, through which he is earning degrees in both common law (based in England Canada and most of the English-speaking world) and civil law (based in Quebec and much of Europe). The student has spent the past year assisting advisers to the drafting of new Russian legislation that will address issues ranging from private international law to inheritance rights. "For the new laws, Russia borrows elements among Western models as is seen," says Slobin, whose work is mainly funded by the Canadian International Development Agency. They value advisers who understand what is happening across different legal systems.

For the most part, Slobin's role involves co-ordinating exchanges between law students in Moscow and a trusty troupe of law and practitioners at the Montreal law firm of Ogilvy Renouf. "When the Russian legislative documents show in their dead laws," Slobin explains, "we are able to explain how they compare not only with Quebec or Canadian law, but also with U.S. law, French law, and so on." Adds Slobin,



Slobin: legal laws for sovereign states

"The Russians are always criticizing the Americans because they only see the world from their point of view. They never study anything else."

Increasingly, legal facilities are putting a greater emphasis on training students in the ways of international law. Alena Blatner (University of Western Ontario, class of '97) spent a semester this year at the University of New Mexico at Albuquerque. She was there as part of an exchange program between nine American, Canadian and Mexican law schools, created in the wake of the North American Free Trade Agreement to increase understanding of how NAFTA may affect the laws of each of the three countries. Blatner, who is now working with the local department of Metropolitana Tijuana, says that, above all, the program gave her eyes to the policies and power relationships that lie behind international legal agreements. "The United States is using NAFTA to reach its interests north and south," says Blatner. "How the treaty works depends on where you're from."

Sometimes the prickly questions surrounding international trade can mean reading new laws, and rendering decisions that affect the legal systems of sovereign states. A trade specialist since graduating from the University of Michigan's graduate program in 1993, Debra Segur was appointed in 1995 as the first director of the World Trade Organization's Appellate Body Secretariat. It was Segur's department that recently upheld a WTO ruling that threw down three measures Canada had used to protect domestic periodically from foreign competition. Despite the pressure of one seeking such intense measures, Segur, who got her LLM from Victoria in 1989, clearly relishes the chance to go where few lawyers have gone before. "We are written with international trade law," says Segur. "I am centrally located in the early evolution of a kind of international jurisprudence."

CHRIS WOOD

# Osgoode Hall Law School of York University



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Founded in 1898 by The Law Society of Upper Canada, Osgoode Hall Law School has been affiliated since 1968 with York University. Drawing on these professional and academic roots, Osgoode offers outstanding opportunities for undergraduate students, for graduate students, and for lawyers who seek to enhance their specialist expertise.

## Faculty of leading scholars, specialists, and innovative teachers

The Osgoode faculty includes many of Canada's brightest and most distinguished legal minds — authors of leading texts and casebooks — renowned as productive and innovative scholars — frequently called upon for public service on vital and challenging issues — generating exciting learning opportunities for students. The teaching faculty is augmented by leading members of the profession and the judiciary, specialists in their fields, who contribute their expertise in the comprehensive and challenging curriculum.

## Challenging and multifaceted curriculum

Developing sound technical proficiency is a fundamental goal of a legal education, but we believe it is just a beginning. Osgoode students grapple with the law in all its rich and varied dimensions. They learn in theory, experience in practice, examine its role as an agent of change. Osgoode students learn how to endorse, apply, interpret, expand, assess, predict and link established thinking to achieve new objectives. They develop the ability to think comprehensively and creatively about law as a tool for addressing the challenges created daily by business, government and society at large, in Canada and in the world.

Osgoode offers students tremendous choice in subject matter and learning methodologies. In each field, there are foundation courses and more specialized courses and seminars. There are excellent opportunities to study legal process and develop professional skills in legal research and writing, statutory interpretation, legal drafting, oral practice, appellate advocacy, dispute settlement, negotiation, and mediation. Osgoode is a leader in clinical education. In unique innovative programs, students can spend a semester studying the law in action through simulations, workshops, simulated transactions, field placements, research and law reform projects. Innovative programs are offered on Advanced Business Law • Criminal Law • Immigration and Refugee Law • Lands, Resources and First Nations Governments • and Poverty Law. Through the study of law at Osgoode, students train their minds, expand their understanding, and develop their effectiveness.

## Law reform and public service

Osgoode challenges students to be a catalyst for improving the law's reflection of our society. Our traditional motto embodies our contemporary commitment — *per se jo ad potest, proponit et potest*. For many years, Osgoode has provided leadership in advancing the need for greater access to legal services and the actions of legal institutions. Twenty-five years ago, spurred initially from within the professorate, Osgoode established the first community legal clinic in Ontario — the prototype for what is now an extensive network of community legal clinics. Osgoode students, working with faculty and supervising lawyers, provide much-needed legal advice, representation, and public service. In sum, our students reap the benefit of studying the law in action and preparing for professional roles.

**Professor Peter H. Hogg, Canada's leading constitutional law scholar, is one of Osgoode's most popular teachers. The Osgoode faculty includes many of Canada's brightest, most distinguished legal scholars. Six professors are among the 23 English speaking legal academics honored by election as Fellows of the Royal Society of Canada (RSC).**



In legal education, the choice you make can make a world of difference



Osgoode Hall Law School, York University, affiliated with York University since 1968, Osgoode is the largest common law school in Canada, well known for excellence and innovation in legal scholarship and legal education. Osgoode's leadership in Canadian legal education is enhanced by its links with the Faculté de droit, Université de Montréal and with the eminent law faculties in France, Australia, Japan, China and Italy.

## Research facilities

The Law Library at Osgoode is the largest in the Commonwealth, attracting legal scholars and practitioners alike, and incorporating new research technology. There are four research centres at Osgoode: The Centre for Public Law & Public Policy, The Institute for Feminist Legal Studies, The Refugee Law Unit, and the newly established National Centre for the Study of Organized Crime and Corruption. Sponsored by a generous endowment, Faculty are engaged in innovative and varied research initiatives. Students are encouraged to participate in these initiatives and to pursue their own research interests.

## Hildegard Jenkins, Graduate Studies, and The Professional Development Program

Osgoode offers unparalleled opportunity to law graduates for advanced study and development of specialist expertise. Students from around the world are attracted to Osgoode's research-based graduate programs, leading to the LL.M. and D.Jur. degrees. The part-time LL.M. Program offers lawyers unique opportunities for specialist education. More than 400 lawyers are pursuing LL.M. programs in the following subject areas:

Administrative Law  
Alternative Dispute Resolution  
Banking and Financial Services  
Oil Litigation and Energy Regulation  
Environmental Law

Insolvency Law  
Intellectual Property Law  
International Trade and Competition Law  
Securities Law  
Trust Law

In addition, Osgoode offers 25 continuing legal education programs, including the Innovative Trial Advocacy Workshop and the Innovative Mediation Workshop. This curriculum, designed for lawyers, addresses the need for lifelong learning in a rapidly changing profession.

## For further information

Please contact: Osgoode Hall Law School,  
50 St. George Street, York University, Toronto, Ontario, M3J 1P3  
tel (416) 736-2136  
Visit our website at [www.yorku.ca/osgoode/](http://www.yorku.ca/osgoode/)

- Innovative, productive, and distinguished faculty members
- The longest law library in the Commonwealth
- Comprehensive curriculum integrating substantive law and procedure, theory, policy and professional skills
- Commitment to the study of law, and law reform, as instruments of justice
- Innovative clinical teaching programs, joint degree programs, exchange
- Opportunities for advanced scholarship in masters and doctoral programs
- Unique and innovative Professional Development Program for lawyers
- Outstanding alumni providing leadership in the legal profession, judiciary, government, business and academia
- Located in Canada's largest centre of legal expertise and opportunity

## Key Facts

### Graduate school and their careers

Osgoode produces some of Canada's most outstanding lawyers, judges, business leaders and public figures. Graduates are selected for clerkships and well-represented in prestigious law firms, in corporate law offices, in government, and in the legal clinic system. Others choose different paths, making significant contributions in business, education, community development, the arts and social services. The Career Development Program assists students to prepare for and obtain career opportunities, and graduates join a network of diverse, discerning alumnus, across the country and around the world.

## York University

York University was founded in 1959, and has grown to be Canada's third largest university, with a student body of more than 40,000. It is recognized worldwide for its excellence in teaching, research and scholarship, and has a reputation as a dynamic and progressive university. With its modern campus in the heart of one of North America's most influential urban centres, York University is setting the modern standard in academic excellence.



LL.B. Programs (416) 736-7040  
Graduate Programs (416) 736-5056  
Postgraduate Postgraduate Programs (416) 462-0076

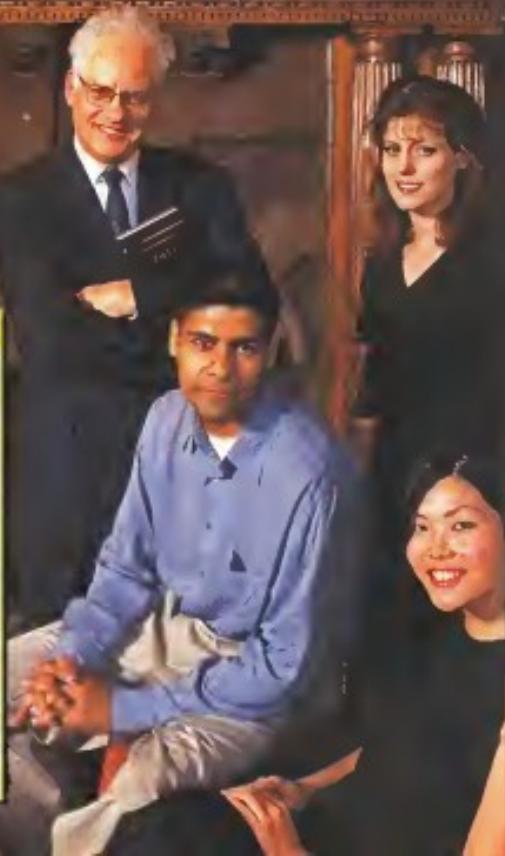
Osgoode Hall Law School  
of York University

# The Grad Report

Young lawyers offer sound advice about where to look for quality

## BEST OVERALL

- 1** Toronto
- 2** New Brunswick
- 3** Victoria
- 4** Moncton
- 5** Windsor
- 6** McGill
- 7** Calgary
- 8** Dalhousie
- 9** Saskatchewan
- 10** Manitoba
- 11** Alberta
- 12** Western
- 13** Queen's
- 14** Ottawa
- 15** UBC
- 16** Osgoode



## UNIVERSITY OF TORONTO

Leftwise from top left: Prof. Bruce Welling with talents Rosemary Inkster, Marisa Gregg, Sophie Denz

Many factors contribute to make a great law school: smart students, learned professors, small classes, an excellent library. But for students making a commitment to a legal education, nothing replaces the counsel of those who preceded them. "With a decision as big as this one, consumers want real advice," says Alex Gregg, chairman of the research firm The Strategic Counsel Inc.

"They like to put an ear to the ground." With that notion in mind, a team of Maclean's researchers, led by Sandra Formis, spent several months tracking down virtually every law school graduate called to the bar in the past three years. Editors then invited each of those 3,200 lawyers a questionnaire, designed with the help of consulting statistician Rose Anne Leonard, to find out what they thought of their alma maters. Along with an assessment of the schools' overall quality, graduates were asked about the relevance of the curriculum,

the caliber of the teaching and the quality of the learning environment. In all, 1,227—more than 30 per cent—weighted in with an opinion, in the words of pollster Gregg, "a very respectable"

return rate. Several also took the time to jot down more personal observations. "I have especially fond memories of Prof. Bruce Welling," wrote one University of Western Ontario graduate, now a civil litigator in small-town Ontario. "Any student subjected to his method of teaching legal notation will never put a comma in the wrong place again." For a potential law student, here is the voice of experience.



## UNIVERSITY OF NEW BRUNSWICK

From left: 28a Didi, Prof. Wade MacLauchlin, Charlotte Kanya-Foster and Cressel Sheppard

### QUALITY OF THE LAW SCHOOL

- 1** Toronto
- 2** Victoria
- 3** New Brunswick
- 4** Moncton
- 5** Dalhousie
- 6** McGill
- 7** Windsor
- 8** Saskatchewan
- 9** Alberta
- 10** Queen's
- 11** Manitoba
- 12** Ottawa
- 13** Western
- 14** UBC
- 15** Osgoode
- 16** Toronto
- 17** Victoria
- 18** New Brunswick
- 19** Moncton
- 20** Dalhousie
- 21** Alberta
- 22** Western
- 23** Manitoba
- 24** Ottawa
- 25** UBC
- 26** Queen's
- 27** Alberta
- 28** Osgoode
- 29** Western
- 30** Manitoba
- 31** Alberta
- 32** Western
- 33** Queen's
- 34** Ottawa
- 35** Osgoode
- 36** Western

### QUALITY OF TEACHING

- 1** Toronto
- 2** Victoria
- 3** McGill
- 4** New Brunswick
- 5** Moncton
- 6** Windsor
- 7** Dalhousie
- 8** Alberta
- 9** Saskatchewan
- 10** Calgary
- 11** Manitoba
- 12** Ottawa
- 13** UBC
- 14** Queen's
- 15** Osgoode
- 16** Toronto
- 17** Victoria
- 18** New Brunswick
- 19** Moncton
- 20** Dalhousie
- 21** Alberta
- 22** Western
- 23** Manitoba
- 24** Ottawa
- 25** UBC
- 26** Queen's
- 27** Alberta
- 28** Western
- 29** Manitoba
- 30** Alberta
- 31** Western
- 32** Queen's
- 33** Ottawa
- 34** UBC
- 35** Osgoode
- 36** Western

### RELEVANCE OF THE CURRICULUM

- 1** New Brunswick
- 2** Victoria
- 3** Manitoba
- 4** Toronto
- 5** Windsor
- 6** Moncton
- 7** Western
- 8** Alberta
- 9** Saskatchewan
- 10** Ottawa
- 11** UBC
- 12** Queen's
- 13** Alberta
- 14** Western
- 15** Manitoba
- 16** Victoria
- 17** New Brunswick
- 18** Moncton
- 19** Dalhousie
- 20** Alberta
- 21** Western
- 22** Saskatchewan
- 23** Queen's
- 24** Ottawa
- 25** UBC
- 26** Osgoode
- 27** Western
- 28** Manitoba
- 29** Alberta
- 30** Western
- 31** Queen's
- 32** Ottawa
- 33** UBC
- 34** Osgoode
- 35** Western
- 36** Toronto

### QUALITY OF LEARNING ENVIRONMENT

- 1** Victoria
- 2** Toronto
- 3** New Brunswick
- 4** Moncton
- 5** Calgary
- 6** Windsor
- 7** Saskatchewan
- 8** Manitoba
- 9** Alberta
- 10** Western
- 11** Manitoba
- 12** Alberta
- 13** Western
- 14** Queen's
- 15** Ottawa
- 16** UBC
- 17** Osgoode
- 18** Western
- 19** Queen's
- 20** Ottawa
- 21** UBC
- 22** Osgoode
- 23** Western
- 24** Queen's
- 25** Ottawa
- 26** UBC
- 27** Osgoode
- 28** Western
- 29** Queen's
- 30** Ottawa
- 31** UBC
- 32** Osgoode
- 33** Western
- 34** Queen's
- 35** Ottawa
- 36** UBC

# Jury of Their Professional Peers

## Measuring the schools' reputations

When students leave law school, they take with them not just the skills and knowledge to practice as a professor, but the credentials of their alma maters. Maclean's surveyed 3,570 judges, lawyers and legal academics by mail, asking them to make the hard call: Which schools are of the highest quality? Which are the most innovative? Which are poised to become the leaders of tomorrow? And which best serve the needs of the local bar? In the end, nine per cent of those surveyed responded with their opinion.



PHOTO BY PHILIPPE BOUAFIA FOR MACLEAN'S

### UNIVERSITY OF VICTORIA

Laura Goldbach (left), Prof. Margaret Young, Lesley Razicka and Sonny Pinto

#### QUALITY OF THE LAW SCHOOL

1	Toronto
2	McGill
3	Victoria
4	Dalhousie
5	Osgoode
6	UBC
7	Quebec's
8	Saskatchewan
9	New Brunswick
10	Alberta
11	Western
12	Calgary
13	Ottawa
14	Manitoba
15	Moncton

#### SERVING NEEDS OF THE LOCAL BAR

1	Saskatchewan
2	Toronto
3	Alberta
4	UBC
5	Victoria
6	McGill
7	New Brunswick
8	Manitoba
9	Dalhousie
10	Osgoode
11	Calgary
12	Western
13	Queen's
14	Windsor
15	Ottawa
16	Moncton

#### MOST INNOVATIVE

1	Saskatchewan
2	Toronto
3	Alberta
4	UBC
5	Victoria
6	McGill
7	New Brunswick
8	Manitoba
9	Dalhousie
10	Osgoode
11	Calgary
12	Western
13	Queen's
14	Windsor
15	Ottawa
16	Moncton

#### BEST OVERALL

1	Toronto
2	Victoria
3	McGill
4	Osgoode
5	Dalhousie
6	UBC
7	Saskatchewan
8	New Brunswick
9	Alberta
10	Calgary
11	Queen's
12	Windsor
13	Western
14	Ottawa
15	Manitoba
16	Moncton

## THERE ARE TWO THINGS YOU WON'T READ ABOUT THE UNIVERSITY OF WINDSOR LAW FACULTY IN THIS ISSUE OF MACLEAN'S

You won't read about the LSAT or GPA scores of the women and men we admit to the University of Windsor Faculty of Law. We didn't promote Maclean's with that information. It's people really. We don't release that information.

At the University of Windsor Faculty of Law, our admissions decisions are about people with a lifetime of experience and a lifetime of potential. In fact, we pioneered that idea. It is an expensive, labour-intensive process, but it works.

We take the measure of a person's character and accomplishments, not the measure of a moment that

test results produce. Hence, the LSAT score is only one among several measures; the others are work and life experiences, artistic and personal skills and achievements, demonstrated commitment to serve the community and the ability to represent different sectors in our society.

If you

become a part of the University of Windsor Law School, you will find the average age of our students may be a bit older and the mix of races, religions, cultural and economic backgrounds may be different from other law schools. We believe that makes for better classes and better learning. Frankly, we think we are as to a

special idea here and we plan to stick with it.

If you have more to be proud of

than LSAT or GPA scores, the University of Windsor Faculty of Law could be just your kind of law school.

You are for our law program, we aren't looking for the best test scores, we are looking for the best people.

UNIVERSITY OF  
WINDSOR  
Faculty of Law - University of Windsor  
www.uwindsor.ca/law/faculty.html index.html  
General Enquiries: [admissions@uwindsor.ca](mailto:admissions@uwindsor.ca)

It's a far away tropical paradise.  
Without the far away part.

Enjoy the perfect tropical island

vacation with all the conveniences you

expect like clean, comfortable lodgings,

modern amenities and friendly service

Then again we also offer

spectacular features such as exotic wildlife, unspoiled coastal islands and warm, crystal

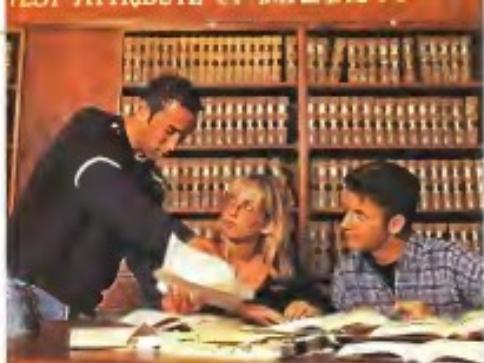
blue waters. In fact, you could say the Lee Island Coast is full of surprises. But only the good kind. Far as

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# The Law School Survey

An exclusive look at the best and the worst



University of Toronto students Shawn Heslop (left), Ruth Prokesow and Grant Warden

## MEDIAN LSAT SCORE

General Admissions Students	Score
3 Toronto	184
2 Victoria	162
3 UBC	161
4 McGill	159
5 Osgoode	159
6 Manitoba	158
7 Queen's	158
8 Western	158
9 Calgary	157
10 Dalhousie	157
11 Ottawa (ENGLISH)	157
12 New Brunswick	156
13 Saskatchewan	156
14 Alberta	154
15 Moncton	N/A
16 Ottawa (FRENCH)	N/A
17 Windsor	would not provide

**W**hen choosing a law school, students look for key indicators of quality: Is the student body academically accomplished? Are classes small enough, and is the library large enough, to afford ready access to professors and information? Is there a proven commitment to diversity and for the smartest and neediest students? Seeking a means to find the answers to these questions, Maclean's editors and researchers spent months meeting with experts in legal education. How best to measure the richness of a law library? How best to compare LSAT scores?

In July, each school received a ten-page questionnaire, and over the next 10 weeks researcher Mary Dwyer fielded dozens of detailed questions from university member chairs. Once all surveys were returned, she began a thorough cross-checking of the data. Maclean's consulting statistician Rose Anne Leonard used a formula originally developed by an organization called CLASS (Canadian Law Admission Statistics Services and Information), designed to allow comparability.

## MEDIAN LSAT SCORE

Entire Class	Score	Percentage of incoming students in General Admissions category
1 Toronto	164	86
2 Victoria	161	82
3 McGill	159	97
4 Osgoode	156	92
5 Western	156	65
6 Calgary	157	100
7 Dalhousie	157	98
8 Queen's	157	99
9 Manitoba	156	98
10 New Brunswick	156	94
11 Ottawa (ENGLISH)	156	69
12 Saskatchewan	155	79
13 Alberta	154	95
14 Moncton	N/A	90
15 Ottawa (FRENCH)	N/A	80
16 UBC	would not provide	85
17 Windsor	would not provide	79

## LSAT SCORES AND GRADES

**E**very law school sets aside some spaces for a pool of applicants—including mature students and members of certain visible minorities—whom it selects according to a very broad range of criteria. But when judging the vast majority of those who apply as "general admission" students, all schools put considerable stock in grades and the Law School Admission Test (LSAT). "With an applicant pool of 1,000," says University of Alberta law don Lewis Klar, "it would be logically difficult" to focus entirely on other things. Still, students are well-advised to remember that, even in that general pool, law faculties take into account academic references, extracurricular activities and community involvement. "We try to find people who excel academically," says Calgary law don Michael Wyse. "But it is also important to have people prepared to make a contribution to society."



McGill students Lewis Sargent (left), Avneesh Sethi, Andrea Laing, Kevin Bell

## CREATING A LEVEL PLAYING FIELD

The 18 law schools reported median entering grades in four different ways—either with a percentage score, or as one of three different grade-point scales, all displayed below. In order to convert these grades to a uniform score, consulting statistician Rose Anne Leonard used a formula originally developed by an organization called CLASS (Canadian Law Admission Statistics Services and Information), designed to allow comparability.

## MEDIAN ENTERING GRADE

General Admissions Students	Entire class
1 McGill	82.2%
2 Ottawa (ENGLISH)	81.8%
3 Toronto	81.7%
4 Osgoode	81.3%
5 Victoria	81.3%
6 Western	81.3%
7 Alberta	81.3%
8 Osgoode	80.7%
9 Dalhousie	80%
10 Victoria	79.5%
11 Manitoba	78.8%
12 Ottawa (FRENCH)	76.7%
13 UBC	75%
14 Queen's	75%
15 New Brunswick	72.2%
16 Moncton	72.2%
17 Calgary	72.4%
18 Saskatchewan	72.4%
19 Alberta	would not provide
20 Windsor	would not provide

## PERCENTAGE

1 Nova	82.3	1 Toronto	3.8
2 Ottawa (ENGLISH)	81.8	2 Osgoode	3.75
3 Western	81.3	3 Victoria	3.75
4 Dalhousie	81.3	4 Dalhousie	3.7
5 New Brunswick	81.3	5 New Brunswick	3.5
6 Moncton	81.3	6 Moncton	3.43
7 Saskatchewan	79	7 Saskatchewan	3.37
8 Alberta	79	8 Calgary	3.33

## 4-POINT SCALE

1 Manitoba	3.74
2 Alberta	3.78

## 9-POINT SCALE

1 Alberta	7.8
2 Manitoba	7.4

## DISTINCT SCHOOLS, DISTINCT SCALES

These are the median entering grades in the General Admissions category as they were originally reported to Maclean's by each of the law schools.

# ACCEPTING THE OFFER

Less than one in four multiple offers of acceptance to all their schools since students apply to more than one faculty. Still, some schools can be more selective than others that students will jump at their invitation to attend. These figures show the percentage of students accepted who took each school up on its offer. Also displayed: the number of those who applied, who were issued a letter, and who accepted those offers at each school.

PERCENTAGE OF APPLICANTS WHO SAID YES

	NO. APPLIED	NO. LETTERS	NO. ACCEPTED
1 Moncton	62	62	62
2 Toronto	58	58	58
3 Ottawa (FRENCH)	56	56	56
4 Guelph	48	48	48
5 Windsor	46	46	46
6 Alberta	45	45	45
7 McGill	45	45	45
8 Calgary	44	44	44
9 Dalhousie	40	40	40
10 Saskatchewan	39	39	39
11 New Brunswick	37	37	37
12 Victoria	36	36	36
13 Manitoba	35	35	35
14 UBC	34	34	34
15 Queen's	29	29	29
16 Ottawa (ENGLISH)	27	27	27
17 Western	27	27	27



## SCHOLARSHIPS & BURSARIES

Percentage of full-time LLB students who received scholarships

PERCENTAGE OF FULL-TIME LLB STUDENTS WHO RECEIVED SCHOLARSHIPS

PERCENTAGE OF FULL-TIME LLB STUDENTS WHO RECEIVED BURSARIES

	NO. OF STUDENTS	NO. OF STUDENTS	NO. OF STUDENTS
1 Calgary	34	12	42
2 New Brunswick	31	2	35
3 Victoria	30	3	35
4 Saskatchewan	23	4	32
5 Toronto	23	5	26
6 Moncton	21	6	34
7 Queen's	21	7	22
8 Dalhousie	20	7	22
9 UBC	18	5	19
10 McGill	18	10	15
11 Alberta	17	11	16
12 Guelph	13	11	8
13 Ottawa	13	11	11
14 Manitoba	12	11	9
15 Windsor	11	10	7
16 Western	8	10	4

Scholarship dollars per full-time LLB student

Bursary dollars per full-time LLB student

1 McGill	\$721	1 Queen's	\$377
2 Toronto	\$69	2 Toronto	\$372
3 New Brunswick	\$52	3 Dalhousie	\$36
4 Victoria	\$40	4 McGill	\$31
5 Saskatchewan	\$31	5 Victoria	\$26
6 Dalhousie	\$26	6 UBC	\$24
7 Moncton	\$17	7 Moncton	\$24
8 Saskatchewan	\$14	8 Western	\$24
9 UBC	\$13	9 Manitoba	\$13
10 Alberta	\$12	10 Ottawa	\$13
11 Guelph	\$12	11 Guelph	\$10
12 Ottawa	\$11	12 Alberta	\$10
13 Manitoba	\$10	13 Calgary	\$10
14 Western	\$10	14 New Brunswick	\$6
15 Windsor	\$9	15 Saskatchewan	\$3
16 Moncton	\$8	16 Windsor	\$3

## CLASSES

Small classes provide students with an excellent opportunity to interact closely with both their peers and their professors. Maclean's takes into account the entire range of classes at the first-year and upper-year levels, placing them in five groups of ascending size and awarding points for the number of classes in each group. The points for each class in the smallest group, four for each in the next smallest and so on. The total points are divided by the number of classes to create a basic score for each school.

Law professor Karen Besley teaching at Manitoba



## THE ADMISSIONS REPORT

	Total applications	Applicants offered admission	Offers accepted
1 Moncton	115	75	44
2 Toronto	1,893	259	172
3 Ottawa (FRENCH)	174	97	54
4 Guelph	1,885	638	307
5 Windsor	1,472	325	154
6 Alberta	839	362	163
7 McGill	955	117	53
8 Calgary	645	163	72
9 Dalhousie	1,157	307	156
10 Saskatchewan	620	287	111
11 New Brunswick	640	215	80
12 Victoria	1,058	278	103
13 Manitoba	750	284	99
14 UBC	1,454	574	293
15 Queen's	1,055	320	163
16 Ottawa (ENGLISH)	1,385	436	117
17 Western	1,663	963	280

PERCENTAGE OF CLASSES BY SIZE (NUMBER OF STUDENTS AT FIRST-YEAR LEVELS)

	3-99	100-199	200-399	400-799	800+
1 Moncton	93.8	60.0	50.0	none	none
2 Alberta	92.5	5.7	33.3	none	3.7
3 Western	55.9	14.7	9.6	12.7	2.4
4 Manitoba	none	none	none	none	none
5 Ottawa	46.2	7.7	42.3	3.3	0.0
6 New Brunswick	none	none	none	none	none
7 Victoria	23.9	36.1	38.1	none	none
8 McGill	95.5	11.0	52.4	none	none
9 Saskatchewan	95.3	6.0	48.6	none	none
10 UBC	20	46	20	30	none
11 Guelph	none	68	40	none	none
12 Calgary	none	62	4	4	none
13 Dalhousie	12	36	45	4	none
14 Toronto	30.1	1.4	36.5	21.7	1.4
15 Windsor	none	62.2	18.8	21.1	none
16 Queen's	none	23.2	12.6	13.6	none
17 Guelph	8.4	8.3	none	18.3	none

PERCENTAGE OF CLASSES BY SIZE (NUMBER OF STUDENTS AT UPPER-YEAR LEVELS)

	1-49	50-199	200-399	400-799	800+
1 Moncton	85.7	55.3	none	none	none
2 Manitoba	81.8	32.3	5.8	4.8	none
3 Ottawa	85.5	20.0	23.2	none	none
4 Dalhousie	88.7	16.2	58.2	none	1.1
5 Victoria	50.4	20.1	23.3	none	none
6 UBC	85	18.4	35.2	1.4	none
7 New Brunswick	32.2	20.4	23.8	3.2	none
8 Alberta	83.2	24.8	22	none	none
9 Guelph	39.1	42.9	15.4	none	none
10 Saskatchewan	51.6	24.2	26.7	7.8	none
11 Western	44.1	29.5	20	5.8	none
12 Toronto	56	20	17.8	7.5	1.3
13 Dalhousie	84.6	26	9.1	6.8	4.8
14 Queen's	42.2	25.6	20.7	11.6	none
15 UBC	50.6	18	10.5	18.6	4.7
16 Guelph	64.7	23.1	16.6	15.6	2.4
17 Queen's	64.7	23.1	16.6	15.6	2.4

## FACULTY

### STUDENT/FACULTY RATIO

Number of full-time students per full-time faculty

1 McGill	5
2 Moncton	13
3 Victoria	18
4 Calgary	11
5 New Brunswick	15
6 Dalhousie	12
7 Saskatchewan	13
8 Western	13
9 Manitoba	14
10 Queen's	15
11 Ottawa	13
12 Guelph	13
13 Ottawa	13
14 Alberta	13
15 UBC	16
16 Dalhousie	16
17 Manitoba	16
18 Toronto	16
19 Moncton	16
20 Queen's	16
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## LIBRARIES

Randy access to the right information is critical to law students—and a good library, the heart of any law school. Maclean's measures the total library holdings, as well as the total library budget. To gauge the current map of resources, Maclean's looks at the proportion of the library budget allocated to updating the university's collection and the proportion spent on providing access to electronic legal information services, including online and CD-ROM databases, and paid Internet subscriptions.

### TOTAL LIBRARY HOLDINGS

		COMPUTER WORKSTATIONS
1	Degroote	466,302
2	Toronto	423,825
3	Alberta	365,018
4	Victoria	313,333
5	Windsor	306,747
6	Manitoba	278,158
7	Ottawa	264,385
8	Queen's	251,260
9	Dalhousie	248,712
10	UBC	241,669
11	Western	190,017
12	McGill	184,926
13	Calgary	184,054
14	Saskatchewan	177,084
15	New Brunswick	129,521
16	Moncton	120,019
		16 Computer workstations
		16 Using electronic information services, access to key legal services per computer workstation.

These figures show the total budget devoted to the law library, as well as two measures of the collector's currency: the percentage of the budget allocated to new acquisitions and the percentage spent on providing access to electronic legal information services.

### TOTAL LIBRARY EXPENSES

		ACQUISITIONS
1	Alberta	\$2,642,766
2	Toronto	2,532,967
3	Degroote	1,974,125
4	Ottawa	1,565,173
5	UBC	1,326,197
6	Western	1,155,777
7	McGill	1,126,903
8	Dalhousie	1,036,266
9	Victoria	1,006,220
10	Windsor	910,912
11	Saskatchewan	886,310
12	Queen's	831,233
13	Manitoba	806,286
14	Calgary	750,857
15	New Brunswick	683,380
16	Moncton	546,576
		16 Acquisitions

\*INCLUDES ALONE

Figures refer to the 2000-2001 academic year.



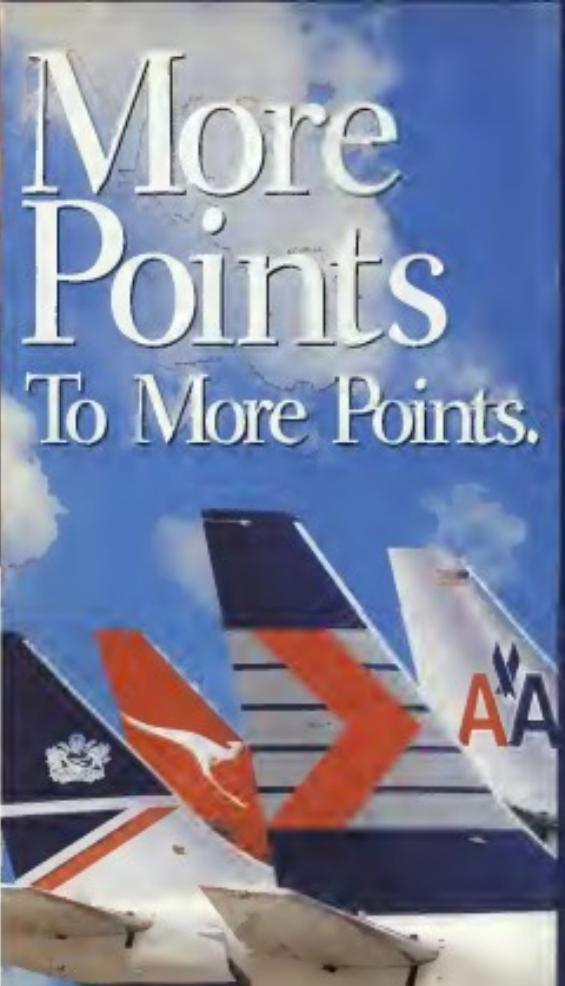
Studying at York University Law Library at Osgoode Hall

### ELECTRONIC LEGAL INFORMATION SERVICES

		PERCENTAGE
1	Saskatchewan	63.4
2	Queen's	54.8
3	UBC	53.3
4	Manitoba	48.8
5	McGill	45.8
6	Moncton	45.5
7	Victoria	47.8
8	Western	45.3
9	Windsor	45.2
10	Toronto	37.2
11	Dalhousie	36.9
12	Ottawa	35.4
13	New Brunswick	34.6
14	Calgary	33.6
15	Degroote	32
16	Alberta	32
		16 Electronic legal information services, access to key legal services per computer workstation.

\*INCLUDES ALONE

Figures refer to the 2000-2001 academic year.



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# Return of the spenders

BY BRUCE WALLACE

I was a happy Jean Chrétien who returned to his office after delivering his first speech of the new Parliament, settled in to the prime ministerial chair and told his staff it was "one of those days when it feels good to be in politics because you know you're leaving something behind for the country." Chrétien had just unveiled his big idea to mark the millennium: a roughly \$1-billion endowment fund that will hand out thousands of academic scholarships every year to lower-income Canadians. He told the House of Commons about the sacrifices his own parents made to educate the huge Chrétien brood, and said he hoped the fund would do "for many thousands of young Canadians what my parents were able to do for me and my brothers and sisters." Chrétien has always been happy having a spate of new projects than cutting existing ones, and last week he signaled that he was putting the "no backsies" policy. "The struggle against the deficit was not undertaken," he told the newly configured House, "so we could celebrate our accounting accomplishments."

Instead, the Prime Minister pronounced that "wise and strategic investments" are in vogue again. New programs and promises of more federal money for old ones power from last week's speech from the throne, opening the 35th Parliament—100 initiatives in all according to the Opposition Reform party, which says critics to take a sharp pencil to government spending. Chrétien MP insisted they had no plans to return to the speculative habits of past leftist governments and that the war against the deficit goes on. But Chrétien himself endorsed that lie by telling the House that the Liberals will balance the budget next year, well ahead of schedule. Time now to spend again, but this time—"investments" was the term he preferred to use. "All those spend programs were in the platform, we campaigned on them, and we were not about to deregulate them now," explained one Liberal official. "But setting a date to balance the budget was the lie to telling the go-down policies."

As a result, for three hours had Chrétien's thumbnail sketch all over it. The spending initiatives garnered some of the political brasses from the last election, especially the robust frontwaters in

Atlantic Canada over first-term cuts, and responded to the Liberals' outcry. 184 member Ontario caucuses, which tends to like its policies in traditional Liberal style, and feed a problem, get in there with some cash, and try to fix it. So there all, after four years of being seen as 100% more than cut costs and hand power over to the provinces. Chrétien's job was to show that Ottawa is off relevance to their lives. "These are needs in the community that have not disappeared," said Heritage Minister Sheila Copps, who chaired in the cabinet at the kick-off meeting that dismantled the government from 1993 to 1997. "We understand that people expect the national power status is lost after the referendum and the results, and that's one of the things we're trying to do. That was certainly a strong message out of the election." Even fiscally conservative ministers like Treasury Board President Marcia Masse saw the new line, sending out mixed messages if that was the government could. Yes this here, Liberals once more.

How this will wash with Finance Minister Paul Martin is anyone to be seen. Martin was not a fan of the 1997 Liberal election platform. He regarded it as inadequate at small spending projects and a dismantling of the government's record of sound fiscal management. If the government has to spend, Martin prefers big impact announcements, along the lines of

## The confident Liberals have new money plans



**Meeting.**  
Chrétien and  
Martin  
(opposite);  
Budget  
Liberal  
cure again?

Chrétien's millennium educational fund. And his finance department officials are anxious about setting target dates for eliminating the deficit, as Chrétien did last week. Only unacceptably high surpluses in recent months have triggered their reluctance to put down a date for a balanced budget. "It would have horrified us five months ago," said one Finance aide. "But the surpluses in the past few months have been so big that people are now more comfortable with the timetable."

The political question now is what to do with the cash. Reform's Preston Manning has made a speech at a Conservative leader to vote that "prosperity through gov-

ernment spending is independently out of date." Manning wants a flat cut instead, and one of Martin's advisers acknowledge that "only at this point will a government find new ways to spend without giving people a tax cut somehow down the line."

Political agree to disagree, as the other hand, want to see Ottawa reduce the money it has over the past four years to prevent health care and education budgets. "We can have a situation where they're trying to live beyond grants, giving us new programs in health care, when existing ones are suffering from underfunding in more parts of British Columbia because of federalists," BC Premier Glen Clark told Maclean's last week during a swing through the north of his province. Privately, some provincial politicians are less sanguine about Ottawa's new mood. Paul Martin is "a really conservative who is perplexed that the Liberals will start massively spending again," said one confidante of the Ontario premier. "Chretien has all the preferable Liberal initiatives," said another close Maclean's adviser. "He declared victory on the deficit early when Ottawa still carries a big one, and now he's changing his attitude again."

That remains an ideological argument than an economic one, since it's how much federal programs carried specific price tags. "The finance speech was very much a statement of the [new] Martin principles—as it should be—but now Martin will have his own," added one confidante. The big fight on the funds will be ahead. Maclean's has told his closest colleagues that they will have to prove the worth of each project—and that they will have to prove it in six after part II before he signs off any new money. "And no one wants a return to the 1970s," said a senior adviser to Chretien.

The discussion may surplus are underway. Not only did the new speech increase spending on such programs as home care and long-term health, but the defense department is set to review its multi-billion-dollar pitch for new helicopters and submarines. Nor is Martin satisfied with theough, unpredictable choices on the fiscal front. Last week, he announced that payments by workers and employers to the cash-hungry Canada Pension Plan will rise by 10 percent over the next four years.

Clearly, though, this is a government that wants to reassess its presence after a period of retrenching and ceding political power to the provinces. The minister of constitutional affairs has not been dropped, of course. Ottawa will keep intervening in order to "modernize Canadian institutions," as Human Resources Minister Perrin Patridge put it last week. Accordingly, the speech from the throne was laced with words like "partnership," "cooperation" and "collaboration." Both Patridge and Health Minister Alan Rock are the front men for Chrétien's desire to be seen dealing harmoniously with the provinces. "The government is firmly committed to working with our partners in the provinces to restore the health care system in the quality Canadians deserve," Rock told the House while dropping a question about why the country needs a new national pharmacare program since patients still face long waits for existing medical and surgical services.

But the days of giving away power to the provinces, of deferrals by design, are likely over. "In terms of decentralization, the government of Canada has done what it promised to do," Patridge told Maclean's last week. Standing in the Commons lobby, he ticked off the record on devolution agreements with the provinces on forestry, mining, social housing and Indigenous training. "But it is clear to us that the government of Canada wants to be present," he said. "To be off centre—absolutely." After years of austerity, having a lot of money to spend will make that task a lot easier.

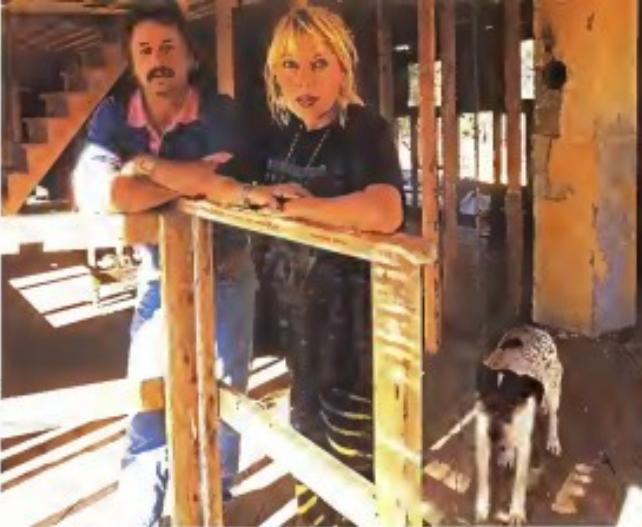
PAUL CROZIER/REUTERS IN PARIS, NELSONS, B.C.

# 'I've cried two rivers'

**Manitobans struggle to rebuild after the flood**

BY DIANE TURBIDE

Rene Neufield and her husband, Denis Scherck, live in a trailer next to their damaged home and a corrugated well. "The water inundated, bathing a trapdoor and just forgot laundry," she says. More will be starting to grow again on the wood frame of their house in Grande Prairie—despite weeks of cleaning and disinfecting with pressure sprays. Most of their belongings—including an extensive collection of antiques, are damaged, some beyond repair. Victims of the great Red River flood of 1997, they sought most of the summer drying out and visitors cleaning and trying to flood their home again to grow more. More will be starting to grow again on the wood frame of their house in Grande Prairie—despite weeks of cleaning and disinfecting with pressure sprays. Most of their belongings—including an extensive collection of antiques, are damaged, some beyond repair. Victims of the great Red River flood of 1997, they sought most of the summer drying out and visitors cleaning and trying to flood their home again to grow more. More will be starting to grow again on the wood frame of their house in Grande Prairie—despite weeks of cleaning and disinfecting with pressure sprays. Most of their belongings—including an extensive collection of antiques, are damaged, some beyond repair. Victims of the great Red River flood of 1997, they sought most of the summer drying out and visitors cleaning and trying to flood their home again to grow more. More will be starting to grow again on the wood frame of their house in Grande Prairie—despite weeks of cleaning and disinfecting with pressure sprays. More will be starting to grow again on the wood frame of their house in Grande Prairie—despite weeks of cleaning and disinfecting with pressure sprays.



Time, financial woes and frustration over what they describe as a long wait for a little government money.

Among many flood victims, there is praise—for the Salvation Army, the Red Cross (which has distributed half of the \$20 million it collected for flood relief), and for the front-line workers from the province's Emergency Management Organization, the umbrella organization that has been providing relief services. Local municipal workers have also been showered with thanks. At the head of the list is the Rielton rural municipality, which includes the wonderful scene: bouquets of flowers and thank-you cards from the citizens whom municipal employees help their citizens find rental accommodations or check on the status of their claim.

But the cleanup process itself has given rise to a flood of complaints. As of the end of last week, the provincial government had received 4,001 aid applications and spent \$85 million in direct assistance to individuals whose homes were damaged or destroyed. (Although Manitoba administers the program and distributes the money, 50 per cent of the funds come from federal coffers.) Flood victims can receive a maximum of \$100,000 compensation, with a deductible of 30 per cent. That deductible is waived if the home is unsalvageable or if the homeowner participates in a separate program aimed at flood-prone houses in the Red River Valley.

It seems straightforward, but applicants complain of inadequate compensation—an average of \$7,036 per applicant—long delays in getting cheques, incomplete information and too much paperwork. Besides, they say is the fact that people are required to spend or buy most of the upfront money needed to repair damages, and then submit bills for reimbursement at a later, unspecified date. "The government has made lots of splashy announcements, but it doesn't fit the reality of what people have to do to rebuild their lives with dignity," says NDP Opposition Leader Gary Doer, who last week met with some 40 flood victims in the legislature. "These are law-abiding people who don't want to keep bugging the government to help them."

Former Gary Filion defines his government's record in the face of a natural disaster that affected an estimated \$229 million in damage. "We've put in place all the resources we could to deal with the flood and its after effects," he told Manitoba Free Press reporter Gary Doer, who, with his wife, Diane, moved back into their house last week. Chagrin

## Redempt. Redefit. Rebuild. Spring flooding brings complaints over the names

applied," the premier said. "We know there are still people living in difficult circumstances and want to do everything reasonable to help." That is small comfort to many still struggling with the flood's aftermath. André Chagnon, 71, is a retired Canadian Forces reservist from St Adolphe who, with his wife, Diane, moved back into their house last week. Chagrin

and despair.

But some Manitobans wonder if the costly flood-pruning measures could be avoided by building more community infrastructure to protect the area.

Some displaced flood victims, meanwhile, are determined to begin their homes for Christmas. Paul Bedre of Rielton says his family had to leave quickly the day before the holiday season. Although he has not received a final assessment from government inspectors, he estimates the damage to his home at \$60,000. "I don't know how much I'll eventually get, or when, or even whether things like my roof or kitchen are

viable will be covered. Well, survive, we're independent again—but at a high cost. Be here, we're the ones out here."

Homeowners in the Red River plain are also being encouraged to participate in the \$10-million flood-pruning program. Financed by \$4 million from the province and \$12 million from Ottawa, it requires participants to raise or reinforce their homes to 1997 flood levels plus two feet. The province pays for flood-pruning up to \$85,000 (plus, with a deductible of 25 per cent). And for those unable to come up with the cash, the government says it has made an arrangement with Manitoba Agricultural Credit Corp. to offer bridge financing at lowest terms.

So far 17 homeowners and 1,222 individuals have requested financial aid from the flood-pruning program, which has approved \$64-million projects and is conducting feasibility studies for the community projects. (As well, officials plan to refund the heavily subsidized Broadhead Lake, an ongoing task completed in four days last spring to reduce the flood-con-

cerns about a job at TransCanada PipeLine, but a lot of people can't. And he says he will press the government for every penny "til' we get that money back," Bedre says. "I'd have to sell all these crops every day if I don't get it back."

Add to it the uncertainty and confusion

surrounding earlier lingering psychological wounds of the disaster. "People are transitioning and still coping to grapple with the long-term effects," says Marc Bruneau, a training and education officer at a site of three old cotton trees set up in St. Adolphe, Roseau and L'Anse. "We try to make it as easy as possible, helping them sift all the forces, stabilizing them, comforting as well as physical assistance."

The Salvation Army also offers counseling, as well as day-to-day necessities. Charles Mandy and his wife, Joy, longtime members of the Salvation Army, lived in their home for two weeks—and have since agreed to stay on until June. They are based at a Salvation Army depot in St. Adolphe that supplies people with food and goods, and sends out four concert trucks every day. "I think the worst stress levels are occurring now," said Charles Mandy. "People are very frustrated by the long wait for money and the fact that they're not able to get back into their houses. Some of them are being told that, because winter is coming on, they can't stay in the temporary trailers, that they have to move again."

Mark Clayton, the 55-year-old executive co-ordinator of the EMDO, knows that some people are failing through the crisis. "We're particularly concerned about seniors, some of whom have a very hard decision to make about whether to rebuild or simply move elsewhere," says Clayton, a former deputy mayor of Portage la Prairie who has a diploma in psychiatric nursing. People in rental situations, who are not eligible for any compensation, are another concern. But Clayton points to the large number of claims that have already been satisfactorily settled—one-third—proof that the flood relief program has been effective.

One such case is that of Tom and Kathleen Hanley, dairy farmers whose home outside St. Adolphe was heavily damaged. They are still living in a trailer—but they say they have less慨ions about the government's relief efforts. Although Tom Hanley thinks the province is being "rather parsimonious," he adds that "we have been compensated with a lump sum, delivered promptly, that allowed us to start rebuilding." Hanley started farming from England with his wife and two sons six years ago, and remains philosophical about his experience with the flood. "Of all the water that covers the earth, only two percent of it is fresh. It's still a beautiful thing." Others are less sanguine. "Maybe the government should issue a new stamp with a picture of the flood on it," says Chagrin, "and the words 'Don't forget us.'"





## CANADA

# The cost of diplomacy

Foreign Affairs' spending comes under scrutiny

**A**ppearances count in Singapore, one of the economic hubs of Southeast Asia, where a good dress is the right sort of dress to be essential to meeting the people who count. It's therefore critical for Canada's high commissioner, Barry Carr, to live in a manner befitting a senior diplomat, even if the place represents a middle power country with limited global clout. So Carr was against moving from the elegance of Branksome, the official residence that the department of foreign affairs wanted to sell, to a \$2,000-a-day rental property in a less-expensive area of Singapore. A year later, Carr is happy he and his family live in a grand residence, built during the city-state's colonial days, in a swanky section of town. And rent is only \$600 a day—which means he has brought rights back to Ottawa as a cost-cutter. But Macleish has learned that the "Singapore Pucco," as the place has been dubbed, within the department of foreign affairs' cost-Cooler tag-supper has hundreds of thousands of dollars.

The Singapore Pucco is not the only instance of questionable spending in the department. Its officials themselves estimate that each year, millions of dollars more are wasted by Canada's representatives abroad, some of whom insist on spending vast sums to renovate their homes and

### The Canadian residence in Singapore: appearances count

countless in Ottawa simply do not worth retain the diplomatic world. "People don't know who you are, you aren't doing your job well," countered one recently retired Canadian ambassador. "For that to happen you need a backdrop, a stage—the official residence."

The bills are still coming in from Carr's in-house framing shop. He spent 18 years at the assistant deputy minister level with Foreign Affairs. But in August, 2006, he left his fourth-grade house in Ottawa's middle-class McRae Heights and moved with his wife and children to Bishan Singapore. The gas engineer was already planning to unload the property, which is big enough to accommodate a reception for 300. Carr's permanent home was to be Charny, a residence that had recently undergone \$800,000-worth of renovations—but which Carr found unacceptable. "The place was pretty far out of town," he told Macleish. "It also had inadequate parking for holding a reception. To my mind there was no logic in having it if we could not hold a reception."

So Carr stayed put. Part of the rationale for not moving, he says, was the old real estate adage: it is impossible to get a good price for an empty house. But he also told Ottawa that made no sense to try to sell the property after his changes in May, 2006, had severely dented the Singapore real estate market. In any case, not a single offer came in after the house went on sale last October. "The guys in Ottawa were very happy," recalls Carr, who took the house off the market a month later. "They wanted it sold."

By February, 1997—at about the time the auditor general's department was investigating—Bella's garage was back on the market. A month later, it finally sold for \$125 million, a bargain in the view of some experts. The deal closed on July 16; by that time, another tenant had finally moved into Charny, which by then had cost the Canadian government \$800,000 to rent. Carr meanwhile, moved into a new home—a self-appointed house on 20 acres of land that the high commissioner found himself. A Canadian government leasing agent who inspected the property thought it was unsellable to rent, but Carr persuaded the Singapore government to spend \$200,000 gutting and renovating the house, and threw in another \$25,000 of Canadian money for redecorating and buying new appliances. Now, it is up to the city of Singapore—and the auditor general—in determine if it was all worth it.

JOHN DEMERSON in Ottawa

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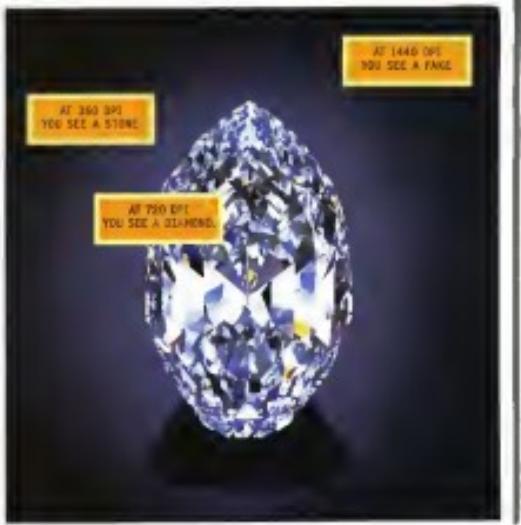
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# Canada NOTES

## TRACKING SCHREIBER

According to the *Mosbach Zeitung*, German authorities issued a warrant for the arrest of German-Canadian businessman Karlheinz Schreiber. They want to question him about commissions he received from the 1995 sale of unarmed refueling aircraft to South Africa, as well as the 1993 sale of 34 Airbus planes to Air Canada. Schreiber, currently living in Switzerland, was named along with former prime minister Brian Mulroney in a 1995 letter sent by Ottawa to Swiss authorities. The letter implicated both men in alleged kickbacks in the Airbus sale. Ottawa apologized to Schreiber last January, shortly after it issued a formal apology to Mulroney and settled his \$53-million lawsuit. Schreiber's \$55-million lawsuit against the CBC's 60s estate—over allegations it made about the Airbus commission—is bogged down in procedural matters.

## THE B.C. FACTOR

Conservative Senator Pat Comey said British Columbia should rethink its planned Confederation and not cut off separation. Ottawa has consistently failed to address B.C. priorities, he said, from salmon quotas to retrieving far-dug-out fishery workers. Tory Leader Jean Charest said Comey's views were not shared by the party.

## LABOR TAKES ON HARRIS

The Tory government of Mike Harris faced yet another showdown with labor. Sharkey after Ontario heralded sweeping changes to the educational system, from centralizing control over class size to increasing teachers' instructional time, union leaders threatened to pull off all of the province's 108,000 teachers out of classrooms. And in Warner's home town of North Bay, picketers closed down the corporations ministry as part of a series of resulting strikes protecting layoffs and massive spending cuts.

## SCREENING THE UNBORN

A Toronto fertility clinic announced that it will offer prospective parents the option of screening embryos for major genetic defects. Dr. Perry Phillips, a director of IVF Canada, said that couples concerned about passing on diseases with a genetic component, including Huntington's and cystic fibrosis, can now use fertilization, selecting test-tube embryos with defective genes.



## UPPING THE ANTE:

Led by PLQ co-founder Raymond Villeneuve, about 50 members of the militant *Mouvement de libération nationale du Québec* staged an anti-patriotism demonstration in front of the LaSalle city hall in suburban Montreal. Villeneuve, who was convicted of manslaughter in the death of a security guard during PLQ bombings in the 1960s, said his group is not afraid of "confrontation and war." Quebec Premier Lucien Bouchard said the province would investigate Villeneuve's threats. Some anglophones leaders, however, said Bouchard did not go far enough in denouncing the group's tactics.

## Clearing the way for action

Two long-awaited rulings by the Supreme Court of Canada cleared the way for further action against individuals and organizations. Mr. Justice Justice Reiter will be permitted to banish blame in his final report on the tainted blood scandal, which saw thousands of Canadians infected with AIDS and hepatitis C through tainted blood products. The Canadian Red Cross, three drug companies and about a dozen firms had appealed his decision to bar him from naming them in his report, expected by the end of November. The court cautioned, however, that Reiter must avoid language that could amount to findings of civil or criminal responsibility.

In a separate ruling, the Supreme Court found that deportation proceedings against three suspected Nazi war criminals should go ahead. Ottawa's Federal Court of Canada determined that the three men were challenged after Chief Justice Julius Bonsor, not privately with a senior justice department official, to discuss the slow progress of the case, and later informed associate chief Justice James Jerome of the conversation. That, the Supreme Court said, damaged the two judges' image of independence. It added, however, that the胆 does not extend to other Federal Court judges and that the cases should proceed—without the two judges.

## Baril in the hot seat

Gen. Maurice Baril's appointment as chief of defence staff got off to a rocky start after a Belgian senator said the former army chief—a senior military adviser to the United Nations during the 1994 genocide in Rwanda—risked being portrayed in a very unfavorable manner" in the report of a Belgian inquiry. The com-

mision is investigating the deaths of 10 Belgian peacekeepers in Rwanda. Baril and the United Nations has prohibited him from appearing before any inquiry, but he can "live with" the decisions he made about peacekeeping in Rwanda. He also made four top-level appointments, including Rear Admiral Greg Mathison as navy commander and Maj.-Gen. Bill Leach as commander of the army.

# Christian men on the march

JENNIFER KELLY  
IN WASHINGTON

**C**arl George Soltis works as the Tentmaker, doing strategic planning for the U.S. secret service. He has served as an adviser in the White House, and was on Gen. Colin Powell's staff in 1991 when the United States threw Iraq out of Kuwait. Now, 45, he says, it is important to see what he will do this Saturday in Washington, just hundreds of thousands of men who may be the largest religious gathering ever to the United States. Down together by Promise Keepers—a Colorado-based ministry movement that has packed stadiums across the continent with an exciting blend of Christian fundamentalism and Jesus values, they will gather on the Mall and pledge to honor Jesus and take their leadership of their families. Soltis, 30, has participated in other massive Keeper rallies, and it is, he says, a powerful and mysterious thing: "They experienced success beyond my wildest dreams," he says. "But compared to this, it was hollow and could possibly be."

Since helping seven years ago as the founder of a co-beer softball coach named Bill McCartney, Promise Keepers has become the largest and most influential men's movement in the United States. Its leaders say its phenomenal growth—down a handful of men in 1986 to 2.6 million by early this year, with expanded branches to Canada—demonstrates a yearning among men for spiritual values. In a critique reply last summer, Keepers is nothing more than a "newfangled flashback to the days of unchallenged male superiority or even another hit by the religious right to impose a fundamental agenda on American life." Those claims will be tested on Oct. 4, when the group holds its first national rally in the Mall, a six-hour celebration of men, prayer and mass tagongs of its list of seven priorities—including pledges to honor Christ, marriage, "normal family," and serve for world harmony. When it announced the plan two years ago, Promise Keepers spoke of bringing 1 million men to Washington, but it was quickly swatted by Louis Pernhakus, a 16-million-Man March of black men that fall. Organizers can't say how many they now expect, but police are preparing for 500,000.

In many ways, Promise Keepers fits right into the American tradition of religious revival that sprang up outside established churches—such as the Great Awakenings of the 18th century to Billy Graham's mass crusades. It started when McCartney quit his \$800,000-a-year coaching job to lead Promise Keepers full time for which, he says, he makes no salary.

In Canada, a separate and smaller Promise Keepers group has organized since 1989 by fundamentalist Bishop Gregor, Galt, as we'll see in *Kidnapped*, Ont., Whistler and Langley, B.C. It has a mailing list of 70,000 and has held rallies across the country, drawing as many as 13,500 men. Vancouver and Burnaby, B.C., and two



## A movement preaching manhood angers feminists



Promise Keepers rally, McCartney, with wife April, resigns in 1994. *Debt: A religious review*

chartered planes will take several hundred Canadians to the Washington rally, says Ken McGeorge, a cardiac hospital administrator who is the Canadian operation's medical co-chair. Canada may not share the American tradition of robust fundamentalism, he adds, but "the message means true wherever you go."

It is a message that creates a backlash of thousands of men at the same time that it attracts a some mainstream clergy and diverse feminist groups to denounce. The U.S. National Organization of Women says that Promise Keepers' real message is "women taking a backseat." A coalition of keepers called Equal Partners in Faith condemns it as "divisive and potentially dangerous." And a New York City-based group called the Center for Democracy Studies warns that Promise Keepers is reaching less than the "hard core" of the religious right—after Jerry Falwell's Moral Majority and Pat Robertson's Christian Coalition. At least 200, the center's executive director, points to cleavages between Promise Keepers and such luminaries of the American religious right as Robertson and James Dobson of Focus on the Family as proof that McCartney's invention is no spontaneous eruption. DeMoss, the rally spokesman, was an adviser to Pat Buchanan's right-wing presidential campaign. "Promise Keepers stayed on political cleanse," argues Ross.

There also questions that McCartney's fundamentalist message alienates the conservative, socialist family values that are as dear to the religious right. In 1992, he campaigned in favor of an anti-gay rights law in Colorado, as one person does along homosexuality as "an abomination against Almighty God." But McCartney has not used Promise Keepers rallies to endorse any candidate or law, instead, Promise Keepers draws tens of thousands of men to stadium rallies that are part rock concert, part pep rally, part arts, in mass cult bands. Using stadium-size microphones, McCartney is known as "Coach" in Promise Keepers circles: "Stand up, stand up, sing like a team, shout like a team, sing like a team." He speaks like a coach at football—and men respond," says Rev. Paul Hansen, pastor of an evangelical church near Washington. "The only message present are values men who care about."

The reason, say Promise Keepers, has nothing to do with chauvinism. "Most men we're in pain but are too proud to admit it," says Rev. McGeorge of Promise Keepers Canada. "They need to get beyond the pride thing and the ego thing." And, the group says, many social ills—inefficiency, fornication, drug infidelity, even putting work ahead of family and God—stem from the failures of men. Blatting men together allows them to be more open in admitting their failings goes the argument, and by the end of Promise Keepers' rallies, men who have sat next to each other with woes streaming down their cheeks. "It was one of the most remarkable experiences of my life," recalls Hansen, who attended two mass rallies.

But the main reason for the men-only rule goes to the heart of Promise Keepers' most controversial belief: that men must reclaim leadership of their families and wives should submit to their husbands. McCartney says that is not debatable—the Bible says the man is head of the family, and that is that. Some of his associates have interpreted this in ways that ring alarm bells among gay women. Tong Tong, a frequent Promise Keeper speaker, wrote in the movement's book *Sister Practices of a Promise Keeper* that men should sit down with their wives, "and say something like this: 'Honey, I've made a terrible mistake. Please give you my robe. I gave you领导 this family. Now I realize that rule.'

Many men who plan to attend Saturday's rally take a more measured view. "It's not about going home and trying to subjugate your wife," says Soltis, the Pentagon colonel. "It's about husbands and wives serving each other and the Lord." McCartney himself would openly admit that his career abroad his family, and the two-timers that caused his daughter had two illegitimate children with members of his baseball team. And William Martin, a sociologist at Rice University in Houston who studies counterculture religious movements, says selfless wives whose husbands become involved in Promise Keepers usually benefit from their increased commitment to family. "Most wives I know say it's improved their lives."

Although the Promise Keepers are still predominantly white, McCartney has put special emphasis on reaching out to blacks men—what the movement calls racial reconciliation. That is in line with recent moves by other leaders of the religion right to distance themselves from the view of a movement that once claimed ultimate authority for racial segregation. Michael Gibson, 36, a member of a mainly black Baptist church near Washington who has attended two rallies, recalls being asked when while men he did not know spontaneously embraced him. "We were like brothers who hadn't seen each other for a long time," he says. "It's a blessing."

However many times Promise Keepers draws to Washington this week, it will face the dilemma of any revival meeting: what to do for an encore. Attendance at rallies has been down this year compared with 1993, and sociologist Martin says the leaders will have to figure out how to live up to expectations. "There are signs," he says, "that Promise Keepers has already peaked." But its astonishing growth bears witness that the American tradition of bringing religion into public life is as powerful as ever. □

# Staying on board

NASA lands a new astronaut on troubled Mir

**S**cientists are wondering what else can go wrong with the Russian space station Mir. There has been a fire, a collision with a supply ship, electrical malfunctions, mysterious computer crashes, and an act of God. Their eight-track tape player is on the fritz.

—Join in the Internet

**M**ir's newest occupant, old-tech space station has been an easy target for comedians for months.

Early last week, there was more fodder: Mir's main computer broke down for the third week in a row—an embarrassing glitch that coincided with the arrival in Moscow of U.S. Vice-President Al Gore and Daniel Goldin, director of the American space program. They brought with them growing U.S. concern for the safety of visiting American astronauts aboard Mir. But after two days of suspense, Goldin finally approved the launch of the space shuttle *Atlantis*, which carried a fresh U.S. astronaut and a new Russian-made computer to a weekend rendezvous with Mir. Goldin added after two independent U.S. studies reached the same conclusion: overall, the 13-year-old space station was still in sound condition.

Jokes aside, that very remained controversial even within the space community: another report by NASA's own inspector general had talked of Mir's "unreliable" risks. "I wouldn't enter this gate at night," acknowledged Goldin afterwards. But Russian space officials insisted that Mir's true blies have been overblown. So did David Wolf, the 41-year-old engineer-mission director who became the sixth American to move into Mir. "The biggest risk occurs when the shuttle goes up," he said, shortly before liftoff from Cape Canaveral. "There are no qualms or fear about spending time living on Mir."

Wolf's seemed, switching places with fellow astronaut Michael Foale for a four-month stint, was the first tangible result of a U.S.-Russian decision to work together in space. They had the formal co-operation of the old Cold War rivals' considerable distrust. Apart from their worries over Mir's safety, some U.S. space officials and politicians are annoyed that the astronauts who go down to perform scientific experiments end up patching and mending things. "It's simply not worth putting another American into Mir to spend months being an assistant to Mr. Fix-It," said congressional James Sensenbrenner, who chairs the House science committee. The Wisconsin Republican suggested

that NASA and the White House "may be downplaying risks to avoid embarrassing the Russians."

Certainly, the U.S. political world would have been severely upset in the race to Russia if it was clear when Washington wanted President Boris Yeltsin's cooperation on issues ranging from nuclear proliferation to Bosnia. It would also have been a blow to Gore, a likely presidential candidate in 2000, who has been a strong supporter of U.S.-Russian space ven-

timents of the once-mighty Soviet space effort. Russia's entire \$60 billion yearly space budget would be a minor cost overrun in NASA's \$33-billion budget. NASA, in fact, is the chief source of funds helping Mir: the U.S. agency is paying \$650 million over a five-year period for its astronauts to use space-station experience. But the contract will run out next year, just as Russian booster rockets and the U.S. shuttle send equipment and astronauts into space to begin work on Alpha. At 110 m long and 495 tonnes, the new station will be roughly four times the size and weight of Mir, with room for seven astronauts instead of Mir's three. Canada's contribution is an updated, \$1.1-billion Canadarm, a more flexible version of the extended grapping device now used on the shuttle. The Alpha project will also be at least as hazardous as Mir. Russian technicians who helped assemble Mir say that putting such a giant platform together in



And below: takeoff in Florida. You know no qualms or fear about spending time living on Mir?

turn, but Moscow officials maintain that despite this year's history of malaise, Mir's crews were never in serious danger. They used their training to make hazardous moves; there were no major injuries or losses, and the space station would function again.

Moscow also has strong cards to play in the space co-operation game as a 13-nation group, including Canada, prepares to build the \$25-billion Alpha international space station over the next two years. The Russian space program is stable and cheap rockets that are capable of carrying big payloads. They know by far the most extensive data about living in space for prolonged periods, gathered over 20 years. Their cosmonauts routinely serve six months of a stretch on Mir sometimes longer.

The downside is that the Russians are less able to bring trouble instigating the

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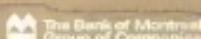
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**PLAVIĆ** Ratko Mladić has been ranked as the best general against Slobodan Milošević.

backer of his own in elections in Serbia, has power base. For Plavnić, it was also personal: at victory, it was the first time she had been in Belgrade since Milošević's police detained her at the city's airport on June 29 and escorted her to the border of her republic. After that incident, her flight with Karadžić intensified—leading the World to ban NATO peacekeepers around two accused war criminals, ousted Karadžić followers from several police stations and foiled what conservatives said was a coup attempt against her.

Plavnić first showed her mettle when she spoke with Karadžić last spring. The 67-year-old former ideologist accused her and his cronies of using cigarette and gasoline imports to enrich themselves. She fired the interior minister, Dragomir Kličkić, and dismissed the Bosnian Serb parliament. Karadžić refused to go, and the parliament passed her and her anyway. In the fall of last year, Plavnić called a rally that attracted 10,000 people in Banja Luka. "Her message struck a chord," says Chris Beamer, an analyst for the International Crisis Group in Sarajevo. "She told the people they were being exploited by the crooks in Pčinja."

Plavnić's leadership despite Plavnić's shoddy: they are relying on her popularity. Before becoming a professor at Sarajevo University, Plavnić was a Fulbright scholar in New York City in the 1970s. Her former students at Sarajevo University say they used to call her the "Ice Queen," because she was so stern but also she was an excellent teacher. In the late 1980s, Plavnić was refused entry to Yugoslavia's Academy for Arts and Sciences. She claims she was a victim of anti-Serbian discrimination, but former colleagues say he research, though solid, was marginal. She quickly turned to politics. When war broke out in the spring of 1992,

Plavnić took up residence with other Serbian leaders in Pale. Soon after, she was photo-torpedoed: slapping a kiss on the cheek of Zeljko Rantavac, a notorious Serbian warlord better known as "Avtan." When asked about it, Plavnić said, "I always kiss Serbian butchers."

Now, under the Milošević-battered deal, she and Karadžić will try to seal each other's fate at the ballot box, although Karadžić is hampered by the Dayton accord from running directly. Western leaders hope that if Plavnić triumphs, she may be willing to send Karadžić to The Hague. The continuing incitement made it all the more likely that some or all of the 8,000 U.S. forces would stay past June—a move, town officials said, Canada, which has 1,200 troops in Bosnia, would join. Plavnić is determined to be there. Inc.

**Serb rivals agree to a showdown at the polls**

## WORLD BOSNIA

# Battle of the bigots

**B**osnian Serb President Ratko Mladić has never been known as a certain orator. During the ethnic war that tore Bosnia apart, Plavnić developed a "theological" theory of ethnic partition, arguing that neighboring Muslim and Croatian towns had to be the Serbs considered to be there was not a war crime but a "natural phenomenon." Early in the war, which erupted from 1992 to 1995, she doctored battle fatigues and misappropriated the Bosnian Serb army that it raised a tank. "Madame Plavnić," her dedication to an ethnically pure Serbian state made her a byword of Badovin Karadžić, the former president who has been indicted for genocide by the United Nations tribunal in The Hague. But in recent months, Plavnić has waged a power struggle with her one-time ally, and Western leaders have openly favored her weight behind her.

Why such an unseemly character? Because Plavnić is the only alternative to Karadžić, the most Western members say is the biggest impediment to peace in Bosnia. Daytonists acknowledge that Plavnić, elected a year ago as president of the Serb-dominated half of Bosnia—which calls itself Republika Srpska—is an unapologetic nationalist who still wants an independent Serbian state. And they are aware the opposition is swaddling Serbs charged with war crimes at The Hague. But they say that unlike Karadžić, she is not cor-

**SARINA SULLIVAN** in Sarajevo



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WORLD SOUTH AFRICA

## Winnie under fire

The president's ex-wife makes a comeback bid

In 1988, when he was thinking of marrying Winnie Madikizela, Nelson Mandela asked his old friends David and Felicia Meier to check out his new fiancee. The Meiers' glowing recommendation helped Mandela decide to marry the woman he later said was the perfect wife for a freedom fighter. But that 10-year partnership ultimately dissolved—in did Winnie Mandela's martyr reputation. Once known as "The Mother of Africa," she has now been dubbed "The Black Madonna" in perpetuation of the title of the African National Congress in a new book about her personally troubled life (Hyperion, \$24.95). She died in 1986. Last week, she was forced by subpoena to meet with South Africa's Truth and Reconciliation Commission in an closed hearing to answer questions about her alleged involvement in a series of murders and assaults in Johannesburg's black township of Soweto. Yet despite the intense media attention, Felicia Meier steadfastly maintains her original good opinion of her 63-year-old friend, who now goes by the name Winnie Madikizela-Mandela. "I have known her to be an extraordinary person," Meier says. "She is extraordinarily strong, because she has faith in herself and the people around her."

This opinion is shared by other White knights, who have just nominated the controversial ANC Women's League president for the party's another spot if she wins in December—which may analysts see as a strong possibility—precedent dictates that the winner already consists of Sepon's legatees would become deputy president of the country by 1994. That prospect is unlikely to the ANC leader, who has been trying to gain the powers of the deputy president in anticipation. "That's the paradox of Winnie Madikizela-Mandela," says Johannesburg political analyst Sibile Mngqithi. "When she's down, a lot of supporters rally around her. All the ANC leadership, she is one of the few who spends time at the grassroots."

The new accusations against her arise from the late apartheid days when her husband was still a political prisoner and township violence was at its height. A group of Soviets taught lessons as the Mandela United Football Club practiced here. In 1991, she and seven others were tried on charges of kidnapping and murdering Sepon, an accused informer. She was found guilty of his kidnapping, but her self-sacrifice was deemed insufficient. She faced a fine as a result. Madikizela's lawyer, Jerry Richardson, was later found guilty of the murder and given a life sentence. Partly as a result, the Mandela segment is 2003.

Now, Richardson and a former club member named Kalusha Celabesha have claimed that Winnie ordered the murder of Sepon, which she was trying to prevent from going to prison and from testifying in England under the protection of former British MP Dennis Mahon. Richardson appears in the new book *Ruthless Journey* by journalist Fredrik Bokslip, which has caused a sensation in South Africa.

White supporters fear that both Celabesha and Richardson, who never made the news sheet in his time, have used the Truth and Reconciliation Commission's use of power to sway testimony in the Sepon case. Celabesha is said to have a trial, and Richardson to get out of jail after Madikizela-Mandela's closed-door appearance last week, court observers and they would grant her request for a hearing in public, scheduled for November, when she is likely to denounce her accusers. That will be followed by her ANC comeback—and at the same time as her Thabo Mbeki has handed over the party leadership in preparation for his planned retirement in 1999. No one is counting Winnie out.

KATE DUNN in Cape Town

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## World NOTES

### DIANA'S LEGACY

Britain's press watchdog announced a new code of conduct in the wake of the death of Diana, Princess of Wales. Editors will face stiff fines if they publish material that violates a new definition of privacy. Pictures of people in moments of grief at home, in church, in restaurants and even caskets are covered by the voluntary ban. Meanwhile, Diana's family was off-receiving flowers at a rate of 80 bouquets a day, and nearly \$18 million had been pledged to a renamed "super fund."

### A GRISLY WAR IN ALGERIA

The Islamic Salvation Army blamed a massacre of 200 people near Algiers on a rival group and called a truce in a two-year insurgency that has killed 80,000. It said this would prove the so-called Armed Islamic Group was behind a recent series of gruesome late-night assassinations that originated from rural villages to the suburbs of Algiers, taking 800 lives.

### SAUDI BLOOD MONEY

The brother of an Australian man who was stabbed, bludgeoned and strangled to death in Saudi Arabia said he was considering accepting compensation—reportedly \$1 million—to prevent a British nurse charged in the murder from being hanged. Under Islamic law, the victim's family can accept "blood money" in lieu of the death penalty. As an accessory to the murder, a second British man was sentenced to 105 lashes and eight years in prison.

### ISRAEL'S TOUGH STAND

Ignoring Washington's call for a "freeze" on unilateral action, Israeli Prime Minister Benjamin Netanyahu announced plans to build 200 more Jewish homes on the West Bank. The government also said DNA tests had shown that four of five suicide bombers who took 25 lives over the summer were West Bank members of the radical group Hamas that Palestinian police had released from custody.

### RUSSIA'S NUKES

President Boris Yeltsin denied reports that Moscow has supplied nuclear technology to Iran, although U.S. Vice-President Al Gore said in Russia that "there was missing a vigorous effort" to build nuclear weapons. Moscow agreed to halt production of weapons-grade plutonium.

## Recalling Little Rock's trauma

Maryann Brown Trickey was a scared 15-year-old in 1957 when she left her home in Ottawa, Ontario, to attend Central High in the Arkansas state capital. Trickey was a 50-person school in those days, mostly remember her as the day 1,200 African-American students entered the school into a three-week stand-off that proved to be a turning point in the tortured history of U.S. race relations. Arkansas Governor Orval Faubus had defied a court order upholding desegregation of the schools and sent the Arkansas National Guard to help Little Rock mothers block the nine African-American students from starting school. The teenagers and their families were harassed, beaten and threatened with lynching. Finally, President Dwight Eisenhower sent federal troops to get the "little Black Nine" through the door.

Trickey was overcome with emotion as she reflected on her steps last week, looking through the same high-school door by President Bill Clinton, joined by a former Arkansas governor. "It was pretty strong symbolism," she said of Clinton's gesture. Back in 1957, the students remained inside the school. "A sense of fear harassed me from the first floor to the third floor, but we sat with a piano and I turned and said, 'Leave me alone, white trash,'" she recalls. She now proudly recalled her own suburbia.

Clancy's wife at the time was an 18-year-old elementary school student in Hot Springs, 80 km away, said in his speech last week that the events in Little Rock "made racial equality a dominant issue." Since white families have moved to the suburbs, many once-dilapidated efforts to bus inner-city kids to suburban schools—designed to preserve the spirit of desegregation—have been reversed by a more conservative Supreme Court in recent years. But the country has long since left behind the idealistic constitutional vision of 1957. The Little Rock Nine, and Clinton, "gave up their innocence so all good people could have a chance to live their dreams."

not immediately ascertain whether the smolder had played a role in the accident.

In Malaysia, schools and many offices closed, especially in the hard-hitting Borneo town of Kuching. Indonesia, acted by Malaysia, mobilized 20,000 firefighters. Slash-and-burn techniques for clearing land at rubber and palm oil plantations were made worse by a drought due to the Pacific's severe El Niño climate effect. Without rainfall, fires that had made their way into Borneo's forest peer and ignite coal could be expected to burn for months.



Clinton comforts Trickey at Central High: Young Alumnus

# Asia's growling Tigers

BY TOM FENNELL

**T**he Buddhist temples in downtown Bangkok reverberated at the ancient shrines to exercise a very modern drama. As thousands of Thais, including several cabinet members, crowded around Bangkok's Temple of the Emerald Buddha on Sept. 30, 300 clerics chanted and prayed for a way out of the country's economic crisis. The two-hour ceremony—broadcast live on national television—is intended to dredge bad karma and promote positive feelings. But it had little effect. Last week, financial markets continued to wail around Thailand and the once-vibrant economies of India, China, Malaysia and the Philippines as international investors dumped their currencies and fled their stock markets. And despite the monks' fervent prayers, hundreds of thousands of people appeared destined to lose their jobs throughout the region as scores of debt-overextended companies are packed into bankruptcy. "It will be very painful," The Foreign Minister Prachtha Chaisri said Monday, shortly after he returned to Canada last week. "The bubble has burst."

Millions of angry Southeast Asians hold one man responsible for their recent woes: billionaire currency speculator George Soros. Over the past 25 years, the New York City-based tycoon has become one of the world's richest men—with a personal fortune estimated at over \$1 billion by managing currencies that he believes are likely to rise or fall. Earlier this year, his muscians told him that Thailand's currency, the baht, was "nominally overvalued." But instead of the self-referenced "margin of growth" he has been in an economic tailspin with exports soaring and foreign investors pouring in by the billions. Lately, however, Thailand has faced increased competition in Western markets from cheaper Chinese products. As a result, exports stalled—even as the Thai government and private sector continued to spend massive amounts of borrowed money on real estate developments, huge power plants and other megaprojects.

Soros, betting that Thailand was on the verge of economic collapse and that dozens of large companies were on the brink of bankruptcy, responded by selling the baht short—an investment tactic that tends to drive down prices. Soon, currency speculators around the world joined in. It worked: after spending more than \$20 billion of its foreign exchange reserves to try to defend the currency, the Thai government gave up on July 2 and allowed its currency to float. Since the beginning of the year, the baht has surrendered 33 per cent of its value against the U.S. dollar. "Soros attacked us twice in July," says Vassilaki Patalas, Thailand's ambassador to Canada. "We fought back because it was a matter of national pride. But we have now learned that the tree reaction would decide the future of the tree."

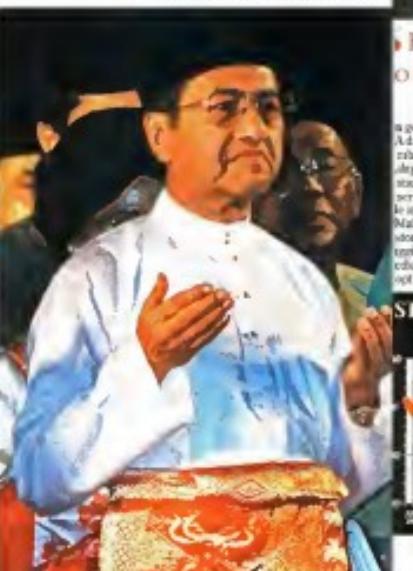
The financial crisis quickly spread across the region as traders turned their sights on several of the other so-called Asian Tigers—Malaysia, Indonesia and the Philippines. Over the past three months, currency values have dropped and stock prices have plummeted, triggering a rash of insolvencies among borrowers who can no longer afford to repay their foreign debts. So far this year, the Malaysian ringgit has

given up 25 per cent of its value against the U.S. dollar; the Philippine peso has fallen 27 per cent and the Indonesian rupiah has lost 26 per cent.

Meanwhile, investors throughout Southeast Asia are running higher. During the annual meeting of the International Monetary Fund and the World Bank in Hong Kong last week, Malaysian Prime Minister Mahathir Mohamad lashed out at Soros and accused the "great powers" of attempting to undercut the growing financial clout of the Asian Tigers. "I am saying that currency trading is unnecessary, unproductive and totally immoral," said Mahathir, a frequent critic of Western

I am saying that currency trading is unnecessary, unproductive and totally immoral.

—Malaysian Prime Minister Mahathir Mohamad



He is using me as a scapegoat to cover up his own failure.

—Currency speculator George Soros

a government. "It should be stopped. It should be made illegal," Adyut later. Soros discussed Mahathir in a speech to the semi-anonymity of bankers, economists and politicians. He called the prime minister "a traitor to his own country" and said his suggestion to ban currency trading "is so inappropriate that it does not deserve serious consideration." Added the Hungarian-born Soros: "Mahathir's speech did not sit well with other international advisors, either. On the markets, currency traders had pushed the ringgit to a 26-year low of 3,125 rupiah to the U.S. dollar. Analysts edited that the pressure would continue until all four countries adopt a swingeing set of Western-style economic reforms that would

halt the bleeding of capital from Southeast Asia.

Soros' plan to stop the bleeding

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LITTLE WE  
STRETCHES TO  
KEEP HAPPY

## Taking on the giants

BY JENNIFER HUNTER

**O**nce a week or so, a funeral procession passed by Boundary Bay Elementary School on South Delta, B.C., en route to the local cemetery. Nine-year-old Lawrence Little sat in the Grade 4 classroom watching the processions through the window. The funeral director's wife would be driving the hearse, head crowned by a black pillar box hat, a black veil covering her face. Little could not keep his eyes off the motorcade. He was fascinated by the formal trappings and the staid presentation on the faces of the mourners.

### A consumer revolution is shaking things up in the funeral business

Now years later, Little runs his own funeral operation, but his approach is less ceremonial than the processions he watched as a child. His company, Personal Alternative Funeral Services of Vancouver, is helping to change the funeral industry by cutting the steep cost of burying one's loved ones. A typical funeral from Personal Alternative, excluding the casket, embalming and professional fees, costs \$3,004, instead of the \$4,800 to \$7,000 normally charged by traditional funeral homes. The five-year-old com-

pany boasts revenues of more than \$5 million and four franchises in southern British Columbia; four more are due to open in Ontario next year and 15 are planned for the western United States during the next three years. In the process, Little has become part of a consumer revolution in the funeral busi-

ness that is creating problems for in-

dustry giants such as Service Corp International (SCI) of Houston and The Loewen Group Inc. of Brampton, B.C.

The competition in the funeral business has become so keen that last month Loewen said it was taking a \$20-million charge in its 1997 third quarter, ending Sept. 30. In addition, the company laid off 540 employees and closed 16 of its 100 office. Loewen said that financial results for the year would "significantly lower than expected," partly because of a trend in some regions of the

United States and Canada toward less costly funerals. "In certain local areas, competition can be significant," says Paul Wagner, Loewen's senior vice-president of finance. "But if you talk about North America-wide, it's relatively insignificant."

Yet Little and other upstarts in the funeral business are bullish about the future. They think Loewen, SCI and the other big players in the \$15-billion North American funeral business are getting worried about the little guys. "They are happy with our presence," Little says. "We've taken tremendous amount of business away from them in the Lower Mainland." Adds Michael Murphy, president of Casket Store Inc., another upstart launched two years ago. "The big companies are threatened by us. They've driven the price levels for funeral directors down so low that operating people are looking for alternatives." Based in Burlington, Ont., Casket's company markets 42 styles of wood and steel caskets in retail and direct. Over the past year it has added seven Casket Store franchises in Ontario.

Little's schlocky decor fits in business-to-business marketing, but says he can "put his hand down on the pillow each night and sleep easily" knowing he is not gouging his customers. Death compensated fairly with the bereaved is something he has understood since he applied to his first job as an apprentice at a funeral home in Richmond, B.C. After learning his trade as a casket builder, he worked his way to the position of funeral director. He even lived at the funeral home. "When my daughter Tracy was born she came down to hospital in the funeral home," Little says. His wife, Dorothy, cradled the baby of the deceased. Little now has rule #1 engraved in the community: "If no

one wants what I do,

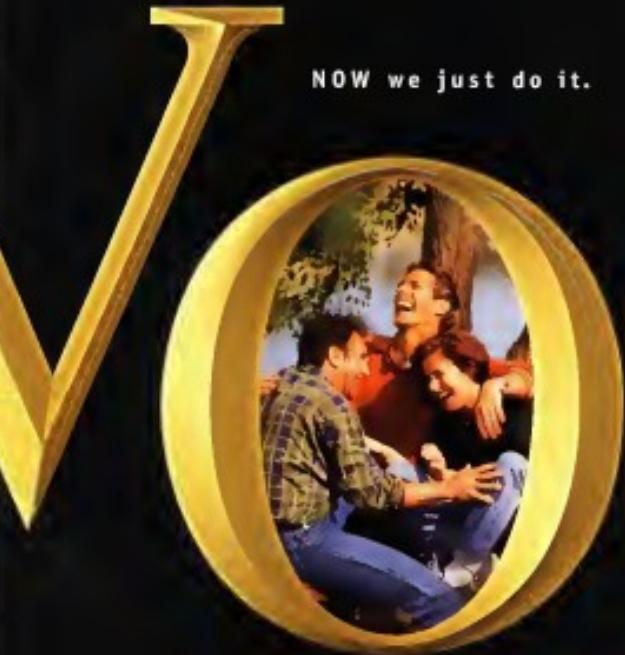
In 1988, Little was working as regional manager for a small local chain of funeral homes when the company was taken over by SCI. But Little says he couldn't live with SCI's practice of encouraging employees to sell, sell, sell—more flowers, expensive caskets, special cremation urns. After 10 years in the industry, he decided to compete with SCI, Loewen and the other big national companies.

The pressure those giants feel from their

discontents is exemplified by another

BACK THEN we talked about all we would do,

NOW we just do it.



Like friendship, crafted with care.





## The gift sweater.

Get down to the mall and fight for a parking spot and then spend 45 minutes waiting for a clerk to come and tell you it doesn't come in that size at all and then finding it under a pile of other stuff and writing in the checkout the babbled somebody who's pretty sure they have the correct change somewhere and then getting out and trying to find where you put the car and hunting for the keys and getting it finally home and wrapping it and getting it delivered and then it's the wrong size and anyway they've just gotten green content issues on the cyber tube a little later.

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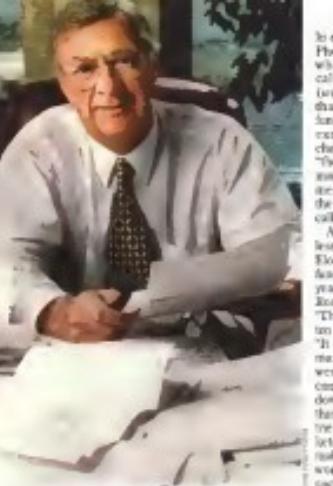
## BUSINESS

that happened last month to Jim St. George, president of Consumer-Casket USA Inc. "I had a telephone call from a gentleman who said he had some old old money and wanted to invest it in the funeral business," says St. George, whose Erie, Pa.-based company is planning to open a franchise in Toronto, similar to one of Caskets' outlets. He said he'd read about it in Money magazine. "St. George sent the info, some information sheet his company had, and he had an appointment with him." It turned out, however, that the "investor" was an SCI employee, the assistant director of acquisitions. "They acquired a legal document from me under false pretenses," St. George says. "I thought they had more class than that."

The cost of funerals is certainly not a new issue. British-born journalist Jessica Mitford tackled the subject in her 1963 best-seller, *The American Way of Death*. She encouraged cremation because it was less expensive than a traditional funeral. Her book led to several reforms, including a requirement that funeral homes state their prices. But in an updated edition of the book submitted to be published next year, Mitford, who died in 1996, wrote that the funeral industry's treatment of consumers has become worse because of the arrival of SCI, low-cost and other profit-making international chains.

"The funeral chains are driving prices through the roof and using disposable tactics," says Lois Carlson, who helped to establish Midwest's book and is the executive director of Funeral and Memorial Societies of America. Some of these tactics are described by Don Balmer, who was recently laid off from his job at an SCI-owned First Memorial home in Abbotsford, B.C. "We used to offer a free urn for cremation," he said. "But then SCI brought in the chain culture to hold the urns and charged \$30 for it. They were buying the family's usual look at the ugly cardboard container and would spend extra on an expensive urn."

Funeral homes have become expensive because the big chains need to maximize profits and keep shareholders happy. Expansion drives have also increased their debt loads and put pressure on them to boost rev-



**SCI's Jim Lowman: We now have more than 1,000 funeral homes**

enue. In its bidding wars to date, SCI last year launched an acquisition bid \$3.2 billion to acquire Lowman's. Lowman itself spent \$1.4 billion in 2000 on acquisitions, bringing the chain's total to more than 1,000 funeral homes and 400 caskets. "Corporations are now competing on both the high end and the low end," says Carlson. "They are trying to sell business from any country. And now, of the United States, they are even buying up operations."

But the results of price-cutting are becoming clearer each month. New Henry Wadsworth

in of Tempe, Ariz., a suburb of Phoenix, is a Catholic priest who operates an Internet site called Funerals and Ripoffs ([www.ripoffs.net/](http://www.ripoffs.net/))—Funerals that offers free advice about funeral costs. He points out, for example, that when the big chains acquire a funeral home, "they usually keep the lower margin" and the machinery for other items, "giving consumers the impression that it is still locally owned."

Another activist in the war for less-expensive funerals is Father Eric Arnsdorf, who organized a funeral services co-operative 12 years ago in his parish of Palmer Road, P.E.I. (population 800). "The prices of funerals have got us out of hand," says Arnsdorf. "It wasn't even Christians any more with all the gadgets they were offering." The big funeral companies tried to shut the co-op down. "They undermined a lot of things," Arnsdorf said. "They tried to stop us from buying caskets by threatening the casket makers." But most of the funeral workers were. Now there are seven such co-ops on the island, and the trend has spread to New Brunswick and Nova Scotia. "This has made a real big difference," says Arnsdorf. "Just with the parish of Palmer Road, we saved \$120,000 as our first year alone."

In Vancouver, Eddie of Provincial Airlines may have been saving on fueling his jet. Last year he dealt with 720 customers visiting him or three times to talk about the service and fees, a touch Nellie Deck of Abbotsford, who appreciated his April 2000 plan to let her mother's ashes fly in a hot air balloon. "In ten ways more than the balloons," she said.

"The last thing you want to do is go to a funeral parlor to make arrangements," says Eddie, who can offer less expensive services because he operates on a modest budget and uses local caskets rather than building his own. "We don't have a fleet of jetliners like a biplane," he says. "We don't have private commercial real estate or shareholders to answer to."

His partner, Ray Young, says Eddie enjoys rapping at the heels of the big corporation. Neither can say his interests of selling out. "We're going to die young," says Young, whose family has been in the funeral business for four generations. "We're a royal pain and Lawrence is rapping every moment." □

## UNDERCUTTING THE COMPETITION

A comparison of prices charged by Personal Attendant, a discount funeral home in Vancouver, and a nearby chain-owned funeral operator.

	Personal Attendant	Chain-owned funeral home
All traditional service includes consultation, documentation, embalming, memorial service, use of urns	\$1,475	\$2,300
Memorial service without casket and body	\$845	\$1,695
Direct cremation of body and memorial without service	\$720	\$1,218
Small urn casket	\$1,695	\$3,000
Our small casket	\$400	\$900

Interesting  
Gum Fact  
#28:



Canadians  
chew more  
gum per  
capita than  
any other  
people in  
the world.  
Americans  
place second  
on the gum  
chewing  
scale, and  
Norwegians,  
third.

**Freedent: Tastes Great. Won't Stick.**



Ross Laver



## Personal Business

### Drugs and dirty tricks

**B**ut it's better to be winning, the saying goes, and the world will have a jolly time your door. But while you're at it, watch out for all those other wonky business acquaintances. Some of them may come calling, too, and they won't be very honest.

That pretty well sums up what happened to Norman Paul. In 1981, he had the brilliant idea to set up Canada's first mail-order pharmaceutical business, filling prescriptions by telephone and delivering them customers by courier. With limited overhead and prices generally lower than the competition, he couldn't lose. Or so he thought.

It soon became obvious that Paul had underestimated the resistance he would face from Canada's big drug retail chains and traditional pharmacists. Above all else, accountants and procurement managers, intent on profit maximization, attempted to cut off his financing and repeated efforts to intimidate his customers and suppliers—try some it and be prepared.

The bully tactics started soon after Paul St. Johnson Dennis founded MediTrust Pharmacy Inc. in 1980. A former pharmacy manager, in association with Shoppers Drug Mart and Zellers, he spearheaded a plan to build his fledgling account. Success finally came in the form of the Toronto Dominion Bank, which agreed to restructure MediTrust to fit 30,000 employees. The bank even prepared a video telling workers to "shop smart at MediTrust."

That, says Paul, is when "the Apaches really hit the fan." Out of the blue, he got a call from a TD Bank executive informing him that the bank was canceling its agreement with MediTrust. The TD Bank then sent a memo to each of its employees explaining that it had received complaints from retail pharmacists, "many of whom are established, long-time company and its bankers to us."

Paul didn't give up, but as his campaign grew so did the opposition. Before long, several drug retail chains refused to supply MediTrust—a decision they later admitted was due to pressure from drug retailers. Al-

ter Sears Canada began including MediTrust services with its credit-card statements, the department-store chain received a letter from the Canadian Pharmaceutical Association accusing it of "using a discount" to Sears customers and encouraging the retailer's efforts to head bakers. What's worse, got word that MediTrust was thinking of using Procter & Gamble's line of cholesterol-reducing statins to entice some of its pharmacists, retail pharmacists threatened to buy out the entire company. In the end, MediTrust chose Canadian Post Co. Navanpharm Ltd., one of the country's biggest generic drugmakers, wrote an open letter to all pharmacists declaring that it would not knowingly sell medicine to mail-order pharmacists.

All that was not enough. MediTrust faced repeated harassment by several of the industry's self-governing bodies whose member pharmacists are controlled by retail pharmacists. But the coup de grace came when Paul tried to take his case past public notice in the fall of 1990. A mysterious group calling itself the Society for Concerned Pharmacists sent letters to journalists questioning the accuracy of the offering document. MediTrust had distributed its prospectus internally. Instead, Paul hired a private detective who traced the "secret" fax number used by an employee of a major drug retail chain. By then, securities regulators had cleared all the prospectus, but it was too late: the company faced MediTrust to cancel the subscription share offering and seek private financing.

Undeterred, the company continues to expand. This year, MediTrust expects to do 700,000 prescriptions accounting for roughly 10 per cent of the Canadian market. On the United States, mid-size pharmaceuticals have an eight-per-cent market share. Paul meanwhile has written a book about his trials, *Good Medicine: Breaking Canada's Drug Monopoly*, to Sam Cunneen-Milner. "I didn't expect that setting up this business would be such a battle," he said last week. "But now that it's done, I'm not going to give up unless they take a gun and shoot me." He's joking, of course.

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couldn't lose.  
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**WALL STREET MERGER**

In a deal uniting two powerful investment firms, New York City-based Transamerica Group said it will buy Salomon Inc. for \$12 billion and merge it with its Salomon Brothers brokerage division. The takeover will create the third-largest U.S. securities firm, after Morgan Stanley and Merrill Lynch & Co.

**OFFICE MARKET TIGHTENS**

The national office vacancy rate is falling as the economy strengthens. RoyceLePage Commercial Inc. said its vacancy rate is now 11.1 per cent, down from 14 per cent a year ago. Rental rates are rising and construction activity appears likely to pick up in Toronto and Calgary, the firm said.

**GATES FIGHTS TAX BILL**

Bill Gates, America's richest man, is fighting his property tax bill. The Microsoft Corp. chairman spent \$73 million building a new mansion near Seattle. Based on the local authorities' assessment of his total worth, he faces a bill of \$630,000 in 1990 taxes. But Gates, whose Fortune is estimated at more than \$32 billion, says the assessment should reflect the property's current market value.

**MANNIX ASSETS FOR SALE**

Calgary's inclusive Mannix family is splitting off its Pembina pipeline system. Lonestar Corp., the family holding company, plans to sell the division through an income trust valued at \$850 million. Lonestar wants to raise another \$200 million by selling Pembina's oil and gas production assets.

**INTEL FACES PROBE**

U.S. officials are investigating whether the world's largest maker of computer chips is engaged in anti-competitive practices. Intel Corp. of Santa Clara, Calif., accuses the microprocessor's 35 per cent of all personal computers. Intel said its business practices are in accord with the law.

**FELDHOFF TAKES TEST**

A lawyer for the former chief executive of Bio-X Minerals Ltd. said his client passed a lie-detector test, affirming he knew nothing of plans to defraud investors. Bio-X collapsed last summer after it had almost no cash at its Edmonton property. John Feldhoff, a lawyer for his client, voluntarily took a lie-detector test and denied comparing to temper with core samples.

## Gone, but not forgotten

**W**hen former Hudson's Bay Co. president George Kosch retired last spring after 32 years with the retailer, he did not step idle for long. A day later, he became president of cash-strapped rival T. Eaton Co. Ltd., which was hunting for a new leader to oversee its restructuring. Now, the Bay has launched a \$22-million lawsuit against Eaton's, Kosch and four other former Hudson's Bay executives who left to join the competition.

The suit alleges that Kosch breached his fiduciary duties by recruiting former colleagues and taking advantage of confidential information he acquired while working at the Bay. At its peak of chaos, the Bay accrued Kosch of "materially and repeatedly" soliciting Bay executives. Legal analysts say the Bay—which under the terms of Kosch's departure is still paying him \$1 million a year plus benefits until he turns 65 in 1999—now has fled the suit to discourage other staff from jumping



Kosch: See Eaton's back defend his actions

shop. But Kosch was quick to deny any wrongdoing. He said that on the same day it filed \$22 million, it was clear that the decision of the Bay would be appealed. "Many of our management decisions have been recently appealed," says Kosch. "The reality is that resulting in this is mainly by Garry Gosselin, the senior navy officer until 2000 who led yet competitive industry in Canada."

**T**he clock is ticking for Gen. Maurice Burd, Canada's new chief of defence staff, who must decide in the next few weeks whether to recommend the acquisition of four British submarines to modernize Canada's navy.

His call, which must usually be approved by the Canadian cabinet, has broad implications. The submarine fleet, the cornerstone of Canada's naval war-fighting capability, is in decline. If the decision of the Bay is upheld, it will signal what political sources say is a return to a nation with a focus on naval power. "That's true enough, but the consequence is that because of these very special circumstances, replacement of the submarine fleet would resolve the actual goals of funds."

Since 1988, the Royal Navy has had four Upholders built up at a cost in Turner in Northern Ireland. They're not obsolete, but the Thales have gone to an all-reactor fleet. Uniquely designed for Cold War submarine warfare in the North Atlantic, they were decommissioned in 1989, the submarine fleet has a 30-year life-span. A key way to make them more useful for Canadian service would be to adapt the fast technology being developed by BAE Systems in Vancouver to maritime applications, extending their range into Arctic waters. The South African government and China have expressed strong interest in the British subs, but so far no one has come forward. However, unless Canada drives the initiative itself, a slide to one of these countries is likely.

Under the proposed Cassard deal, which the British have agreed to in principle, no cash would change hands. Avoiding costly re-fits for the existing Thales would save millions of dollars. But the largest part of the deal could be funded by Canada, leaving for eight years the annual costs Britain now pays for buying Thales in St. John's and Waikiki, Alta., and Goose Bay, Nfld.

Submarines are silent weapons and their surprise can inflict great damage. What Canadians must decide is whether our military deserves another record-breaking warplane or glorious record in world wars. Probably the wisest solution ever made about Canadian defence was by Julianort Morris, currently the director at the Institute of Canadian Studies at McGill University in Montreal. "This country is simultaneously inflexible and unpredictable," Morris wrote. "By no conceivable effort could 30 million Canadians protect themselves from either of the other powerful neighbors by their own, isolated efforts. At the same time, no one is going to attack Canada without reason on the world's greatest military power. When Canadians talk of sovereignty as a defense objective, it is to save ourselves from the threatening potential of being defeated by the Americans."

Finally, we must never忘記 our existence as a nation in the lesser corners of the Pentagon. Besides, there is a chilling argument for doing this British deal: it's high time Canada's navy had more submarines than the West Edmonton Mall.

**The Nation's Business**

# Peter C. Newman

## The case for buying four British subs



**'There is no substitute for the endurance, versatility and bottom-line combat capability of a submarine'**

**FINANCIAL OUTLOOK**

Economists are forecasting a quarter-point hike in the Bank of Canada's benchmark interest rate as early as this week, despite last week's decline in the five-year mortgage rate to its lowest level ever in Canada. © 85 per cent. The drop in mortgage rates signals that the long-term outlook for rates remains favourable, regardless of short-term increases.

"Affordable mortgages, an improving economy and low inventories of houses have contributed to a housing boom across much of the country. A Scotiabank study predicts an average price increase of

more than seven per cent in Toronto next year, while prices in Calgary should rise almost six per cent."

"The manufacturing sector continues to show unexpected

strength. Increased foreign trade, particularly a pickup in export production and a reduced or growth-producing employment pushed the production index higher in August."

—Nestor Burns

"The percentage of youth unemployed for more than six months has declined from more than 20 per cent in 1985 to 15 per cent now."

—CIBC

"The Canadian economy is just starting to realize the high-growth, low-inflation pattern of the '80s and '90s."

—Scotiabank



—Scotiabank

At the moment, Canada has an operational submarine fleet of just four Oberons purchased from the Royal Navy in the mid-1980s. These boats are past their effective lifetimes—a fourth Oberon, the former Olympus, has never been operational in the Canadian navy and is being kept at Esquimalt in British Columbia for training and exercises controlled for spare parts. They also serve as boats for their uses. In the summer of 1990, for example, HMCS Olympus shadowed a foreign drug vessel—several dozen smuggling narcotics for five days within Canadian waters. The large capital warship and semi-persönlichkeits "The" also took 500 passengers, was able to track the smugglers on land and picked up plastic containers with 700 kg of cocaine, used as evidence to convict the smugglers.

Canadian subs were also reported to be shadowing Spanish ravens during the brief but effective "war" in 1986. Several ships of long-range towlers shadowed Canadian fish zones,

# Freedom of choice

**Alternative therapies win approval in Ontario**

For at least a decade, doctors in Ontario have complained of harassment from their governing agency if they tried to offer their patients alternative therapies. The College of Physicians and Surgeons of Ontario has issued numerous warning letters to doctors, issued some transcripts and stripped the license to practice from four physicians. But last week, instead of further disciplining medical doctors interested in alternative techniques, received a prison offering. After 18 months of study by a special committee, the college said it will allow physicians to offer complementary therapy as long as they follow some basic rules. "Physicians should be allowed a reasonable and responsible degree of latitude in the kinds of therapies they offer patients," the committee concluded. "We also believe that patients have every right to seek whatever level of therapy they want."

According to alternative therapy advocates, Saskatchewan is the only other province with a policy ban. As the Ontario college made its move, alternative therapists are also enjoying a political hearing in the province, no me to 21,000 of Canada's 56,000 licensed physicians. A private member's bill that would protect physician incorporation for offering alternative treatments has received expressed principle in the legislature and is about to be examined by a committee. Dr. David Walker, a Kingston emergency room physician who helped write the college's new policy, and it is responding to demands from doctors. "Physicians know their patients are using St. John's Wort [a natural remedy reputed to alleviate depression] and taking evening primrose oil [for menopausal symptoms and arthritis]," said Walker. "I was a master of recognizing reality."

That reality exists across the country, according to an Angus Reid Group national poll released on Sept. 1. It found that 42 per cent of adults use treatments such as chiropractic, herbology, acupuncture and homeopathy—nearly twice as many as five years ago. The poll results suggest that, as medicine gets more complicated, Canadians want to take charge of their own health. An overwhelming majority agree that doctors

can give advice but people have the responsibility to look after their own health," says Angus Reid senior vice-president John Wright. "People are becoming consumers rather than patients."

According to a recent University of Toronto study, education, income and social ties are key factors when it comes to choosing modes of therapy. The study, which compared patients of family physicians with



Myles after surgery. She is an activist for self-care over that conventional medicine does not address.

those of alternative practitioners, found that alternative care users are more likely to have higher household incomes and education, to be female and to consider spirituality an important factor in their lives. "People who are of a higher social class are used to having some control over their lives," says medical sociologist Merrilyn Reiter, who conducted the study. "Choosing where you go for various health problems is one more example of control."

But the study also found that few of those exploring the alternatives have turned their backs on conventional medicine. Some 91 per cent of the non-conventional therapy users visit family doctor as well—consulting the physician for acute conditions and the other therapies for chronic conditions or as supplements to standard treatment. Typical of that approach is Esther Myles, a Toronto jo-

gym instructor who underwent surgery for breast cancer three years ago. Myles, 50, says she never questioned her surgeon's decision to have a mastectomy. "But when they are done treating your body," she says, "there is an void left over that conventional medicine does not address." After Surgery, Myles turned to alternative holistic remedies to rid her body of toxins and improve her function, encourage bones to help restore flexibility, and a traditional Chinese medicine practitioner who prescribed a regimen of meditation while continue to increase her energy. "I know these things might not work," says Myles. "But I also know I am thinking in a way I would not be if I had not done them."

The new policy allows Ontario's dentists provide complementary therapy then selves or to work closely with non-conventional dental practitioners. But Dr. Kenneth McElroy, director of the 200-member Ontario

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Andrea, I consider  
make up that  
patient like?

# People

*Edited by  
BARBARA WICKENS*

## Her melancholy muse

**S**he is known for songs of exquisite sed-  
ne ss. So it is no surprise that Country's  
**Jean Arden** should put a question mark  
in the title of her new album, "Happy?" The  
celebrated singer songwriter also has a  
reputation for a caustic wit and self-re-  
questing humor, which does not always go down  
well in the song-connoisseur music industry. So in  
the cover of her third CD, which was released last  
week, a playful Arden poses, smiling her thumb  
to the chugger at both her record company and her  
fans first. Jean Richards, a retired dental assistant,  
who declared it a "terrible picture," but she adores  
Jean Arden, whose last album, 1996's *Living Proof*,  
has sold 1.3 million copies worldwide, insisted  
on using the image. And she returns to change the  
tone of her music. "I thoroughly enjoyed *audience*,"  
says Arden. "Happy is for special occasions.  
It's not something you pull out every day." Besides,  
adds the 35-year-old, there is her audience. "I think  
this is my first would be disrespected if I come out  
with 10 banjo songs," she says. "They like my music  
because they can listen to it and think, 'Hey, my  
life's not so bad—look at her!'"

In fact, Andree's life has improved considerably.

## 'Not a Ferrari girl'

**F**or Diana Falcao, the loss of anonymity came as quickly as the millions. Last week, the 22-year-old interior design student picked up her \$21.8-million prize in the Lotto Super 7 on Sept. 19. That made her the richest Canadian lottery winner ever—and an instant celebrity. "I just want the attention to go away," Falcao told the dozen or so reporters, photographers, and TV cameras at the Toronto press conference, where she picked up the



Das Entwickeln - 624 Seiten

cheaper. Falconi, who is single and lives at home in Richmond Hill, Ont., had convinced her own legal number - 27 - with those her mother, **Beverly**, used for years without success before she died in 1994. She plans to share her winnings with her three sisters, and with her father, Peter Falconi, a Canadian who moved to Australia because the family will use the money for a trip to Italy and for "new hats," which "people over 80 like." Diane, 74, says she dreams to have her feet on the ground. Her last purchase was \$37,000, 1996 Dodge Ram truck and house, said Sam Falconi, 55, not a farmer, not

## A sordid play-by-play

**D**uring his 30-year career in sports broadcasting, Marv Albert became a celebrated brat in his own right. But his most startling testimony last week in a Arlington, Va., courtroom, the NBC play-by-play announcer from New York City was suddenly a spokesman for his all-life. Accused by his long-time lover of performing oral sex, the dapper 60-year-old Albert was described by his accuser as having a "taste for themselves, X-rated videos and adult-wrestling wrestler's wives." The most damaging testimony came from another woman, who also claimed that Albert had attacked her, but that she escaped after leaving it to the police. Albert already stepped the trial by agreeing to plead guilty to misdemeanor assault if he can't have the proceeding dropped. The more serious charge of forcible sodomy, NC-17ed his immediate whereabouts. "I just feel like I had to do this," he said for himself, his attorney, Michael J. Alperin, who will be sentenced on Oct. 24.

### *Albert: gravity of apparently*



A black and white head-and-shoulders portrait of a man. He has dark skin, short hair, and is wearing round-framed glasses. He has a prominent mustache and is looking directly at the camera with a neutral expression. He is wearing a dark-colored shirt under a light-colored jacket or vest. The background is plain and light-colored.

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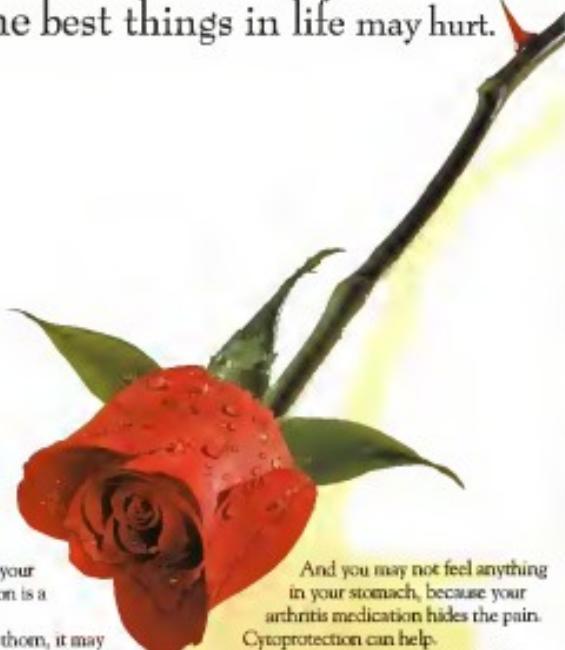
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## Theatre

### An Antarctic ordeal becomes a spellbinding play

In *Inexplicable Island*, David Young's poignant new play about Antarctic exploration, six men huddle for warmth in their tiny, cramped sleeping bags. They quaver, sing hymns, write in their journals, count their diminishing supply of biscuits, and in the months wear on, link gradually into a collective psychosis. The whole time, a fierce wind screams and moans, like some demented Volcano, outside their ice-cave shelter.

*Inexplicable Island*—which runs at Toronto's Canadian Stage Company until Oct. 18—is one of the most affecting, original and compelling dramas ever written by a Canadian. It's based on the true-life story of Capt. Victor Campbell and his Royal Navy party, who were stranded with Capt. Robert Scott's ill-fated 1912 expedition to the South Pole. While Scott and his crew were struggling back from the Pole, Campbell and his group were enduring their own hell on the coast, where they were doing scientific work. When a Royal Navy ship hauled to pick them up, they hurried onto the ice, and, in a macabreful fit of endurance, survived the long, agonizing Antarctic winter.

Toronto-based Young, 51, first heard about the little-known episode from a mountaineering companion during a 1984 trip to the Yukon. What particularly intrigued him was how Campbell and his men reproduced the British class system inside their shelter. "Campbell believed there was an avenue wall down the middle of the ice cave," says Young. "That way the officers could be conversing in their ward room, while the men were squatting in the mess deck. And they could all pretend not to hear each other."

Young—a novelist, songwriter and author of the much-revised 1992 play *Ghosts*, about pianist Glenn Gould—went on to read the expedition's unpublished journals and note books in the Cambridge University archives. He recalls being tremendously moved by these "sanctified, pencil-writer pages." They were like religious relics to me." But at the same time, he realized that the story he was looking for was not there. The British explorers had kept a stiff upper lip, and little drama or conflict had made it into their reports. "They left me free," says Young, "to invent what I needed."

And invent he has. Whatever qualities Campbell (R. H. Thomson) actually possessed, in *Inexplicable* he becomes



Scene from *Inexplicable Island*: endurance

an almost absurd embodiment of British upper-class rule. He disciplines his men into such unimaginative plays as sending them into the driving cold to practice their semaphore skills. Not surprisingly, the ordinary seaman rebel. Led by the rascous Albert (Wayne Best), they steal Campbell's chronometer and read his private diary. At one point or another, the whole crew comes unravelling, and by the final act they're delivering monologues about the history of the 20th century and the future of the human race. By then the original resilience the play has been suspended by something much more poetic and metaphysical.

If that sounds like too much, it sometimes is. But despite the script's lapses into pomposity and obscurity, *Inexplicable Island* raises crucial questions about the importance of social structure (how much is enough?) and mankind's place in the natural world. To paraphrase the play, the Antarctic winter has ripped these men, though it remains uncertain whether their painful shift in consciousness will result in good or ill.

Meanwhile, the actors are nothing less than superb. And director Richard Rose has shaped the whole production into a lollious and tragic—poised figures bent against the winds, sustained voices filled in song—that will haunt the memory.

JOHN BRUNSTON

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# A refugee's odyssey

Too often political refugees are a faceless lot. They are glorified on TV newscasts, writing in crowded internment camps or run-down "holding" camps, while away the months and years until a foreign country offers to take them in. Cut off by barriers of language and culture, they seem to belong nowhere, and it is difficult, even in a relatively generous society such as Canada's, to see them as sympathetic and

worthy individuals. That is why *Tightrope Passage* (McClelland & Stewart, 243 pages \$26.99) is such a valuable book. Written by Czech refugee Ira Marovce, it explores the plight of dispossessed people with an eropean eye and wisdom that turns statistics into singular human beings.

In Communist-led Czechoslovakia, Marovce learned the vengeful ways of the regime Erhard. His politician father had been a leader of the Prague Spring of 1968's liberalizing movement, that threatened to upset two decades of Communist rule—and it was crushed by Russian tanks. But on punishing the entire family, Czech authorities blighted Marovce's career as an economist, offering to release him if he denounced his father for his reported "crimes." Marovce refused, and switched to a career writing song lyrics and tales for children. But the Czech government prevented his work from being broadcast. In 1983, the 35-year-old Marovce, his lab in charcoal wife, Jana, and their five-year-old son, Eva, set off for an Austria holiday with no intention of coming back.

Like all refugees, they had abandoned much that was dear—home, parents, a familiar culture. They carried fondly their suitcases and 700 American dollars. Their jubilation at crossing the border was quickly superseded by anxiety. Did they have the right thing? Should they go back before it was too late? Through the emotional roller-coaster ride of the next seven months—spent, first, in a Austrian camp and, later, in a hotel full of refugees in Vienna—they were reminded by the idea of Canada. They had chosen the country after an elderly Czech who had visited his son there told them stories of a free, humane society.

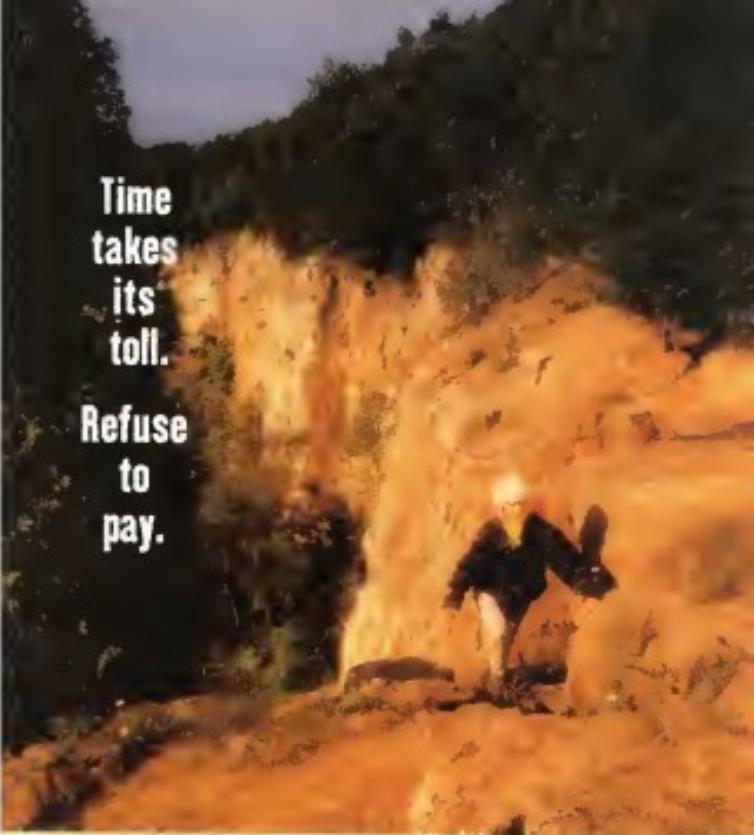
One of the great strengths of *Tightrope Passage* is its all-too-common portraits of disparate refugees and the circumstances surrounding them. Two other men in the Vienna hotel, an Lissner and a Karel, had fought on opposite sides in the Kosovar struggle for independence. Seduced by the "bluebird," they had each fled to Austria, where they became fast friends, and were often glimpsed striding arm in arm, celebrating the fact that they hadn't killed each other.

Over time, the Marovces learned to savor the passage, their mind not encumbered by contamination. As the author points out, living by their wits as refugees in Vienna was excellent training for survival in the West. In 1983, the Marovces did make it to Canada, where the author found work in Lethbridge, Alta., on the Ford assembly line. Inspired by success in a local short-story contest, he went on to write *Tightrope Passage*. As a writer he has much to learn; his dialogue is often clumsy, and his perpetually excited tone about the capitalist way of life can be tiresome. But his reporter's eye is always commanding, and the story itself is good.

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# Beautiful dreamers

Canadian cultural icons figure in an increasing number of biographies

BY ROBERT FULFORD

**B**iography can be shameless, biography can be distasteful and slender, biography can be no more than gossip disguised as scholarship. There are people who think biographies are essentially trivial, and that those who read them are probably self-indulgent soporifics, and yet, as ever, the selling of books among the world's most compelling forms of writing. It's because so popular and absorbed so much cultural energy that Americans and French critics have often called this era the Age of Biography.

Canada, however, has been comparatively slow to create a tradition of biography in the arts. It was that the wonderfully weighty *Dictionary of Canadian Biography*, 13 volumes, and now its current update, with scholars, painters and the rest, but among full-scale artistic biographies there have only been a few titles, beginning with two-volume solid classics like G.D. Sturz's *Life and Letters of Sir Wilfrid Laurier* in the 1920s and Donald Creighton's John A. Macdonald in the 1950s. Memorable biographies of artists and rate-makers are relatively rare—Mark Tupper's study of Emily Carr, the high MacLennan and Irving Lytton books on Ernest Cormier, Philip Marchand's life of Marshall McLuhan, Beatrice Sutton's much-admired lives of Elizabeth Smart and Gwendolyn MacEwan, major works by such scholars as Robertson Davies and David Silcox on David Milne. That short list, understandably, covers most of the high points of our decades.

But this publishing season brings a sharp series of books chronicling the lives and times of artists and thinkers. The book stores are filling up with Jeanne Haig Beck's life of Margaret Laurence, W. Terrence stein's *Marshall McLuhan: Prophet Before Advertising* and Eldon Whitefield's *President and Mrs. Menzies: Hollywood*.



Ernestine, Patricia: Today's movies and TV shows are rooted in silent screen iconoclasts

Other new books testify to a growing interest in artistic lives. For instance, *Selvick: Letters of Margaret Laurence and Adele Watson*, edited by John Lennox and Ruth Pandey, gives further depth to Haig's portrait of Laurence, and *Great Dreams*, a collection of famous biographical essays, edited by Elizabeth Cameron and Janice Dicks, includes sages such as Cormier's brief, revealing life of Gwendolyn MacEwan, a now-forgotten Canadian novelist once famous for an international best-seller, *Kirsty and High Heels* (1940).

Many more biographies of artists are on the way. *Bessie Head: King*, Harry Callahan's memoir of his novelist father, Moseley, is to appear later this autumn. Early next year will see the publication of *The Great Artist*, a Life of George Woodcock, by Douglas Fetherling, whom Woodcock chose to write his life shortly before he died in 1995. W.D. Matchett's son, Orrin S. Matchett, as English professor at Peterborough, Ont.'s Trent University, is working with his wife, Barbara, on the first Michel biography. Toronto-based writer and

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## Garden of paradise

BY BRIAN BERGMAN

**H**alifax-based film director Thom Fitzgerald can be forgiven for letting us all know he has suddenly become a character in someone else's movie. On Sept. 14, Fitzgerald's first feature film, *The Hanging Garden*, which was shot in Halifax as a modest \$1.5-million budget, exploded two of the hot topics of the Toronto International Film Festival, including the Air Canada People's Choice Award. In previous years that prize, chosen by festival viewers, had gone to such films as *Saints and Sinners* of New Jersey, which went on to earn several Oscar nominations. For 28-year-old Fitzgerald, it was the culmination of 10 frenzied days of being chauffeured to meetings with agents of the failed Hollywood studios, and then rubbing shoulders with them in parties and premieres. After returning to Halifax, where *The Hanging Garden* opened the Sept. 19 at 27 Atlantic Film Festival, Fitzgerald was still trying to put his startling success in perspective. "Part of the blessing is all this," he told Maclean's between sips of coffee in one of his favorite local haunts, "so that I don't know what the hell is going on."

What seems to be going on, judging by the critical reception and commercial success that greeted *The Hanging Garden*, cannot yet be gauged; it is the emergence of a major new talent in Canadian cinema. The film, which Fitzgerald also wrote, is an often humorous and constantly updating account of an unusually observant woman, William, who appears to consist mainly only in memory. Thirty years later, the bones of his dysfunctional Nova Scotian

Fitzgerald ate \$1.5-million  
taste of a gay tree is a hit

and the *Tantric* premiere of *The Hanging Garden*. As we later learned, after all, the Fitzgerald lived on for six months while writing the screenplay. Denys later told her son that she had called him father, whom she divorced when Fitzgerald was a young boy. "She had a sad one-word to my dad in 20 years married Fitzgerald," she said. "She has that her son had made very beautiful film, and that he should be very proud."

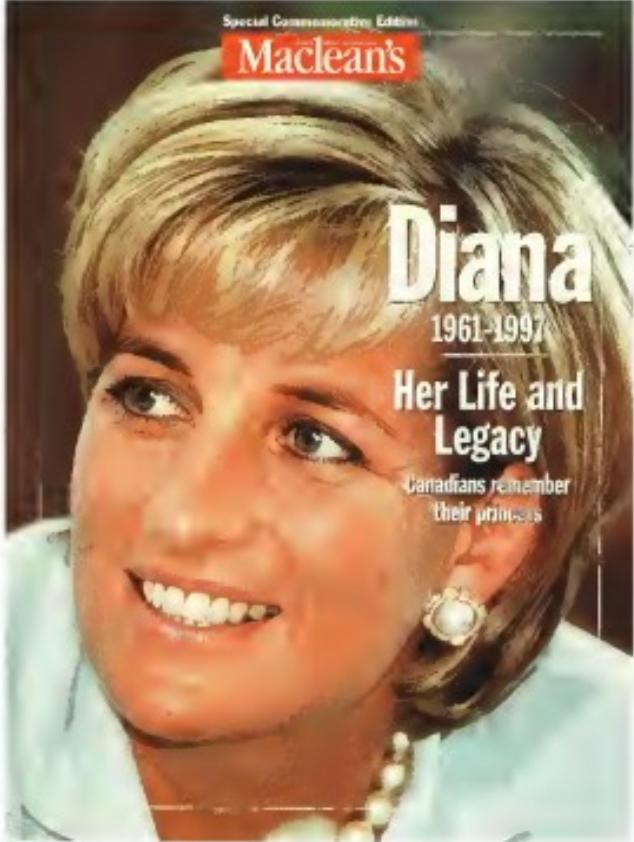
Mention of his sometimes troubled family life makes a obvious point, just how naive agricultural in *The Hanging Garden*. Genuinely clearing his throat, Fitzgerald responds:

"Um quack. I was a teenager considered weirdo." As early as his high school years, he tells his classmates as teachers knew he was gay. While he remained popular—he was a class president and a cheer captain—he suffered taunting. "I wasn't that other people didn't like me," he says. "It was that I did it." In part, he made *The Hanging Garden* as a way of telling other young guys that life is worth living. "You know, a friend pulled me aside the other day to tell me about a 15-year-old boy who had cut his tongue off himself after asking if he were gay," says Fitzgerald. "Probably watching this movie wouldn't have made a difference. But you never know."

The buzz surrounding *The Hanging Garden*, which is set to open in theatres across Canada on Nov. 7, promises to surround Fitzgerald's career—and life—on a whole new trajectory. Born in New York state, Fitzgerald moved to Nova Scotia in 1987 to attend the Nova Scotia College of Art and Design. He later scraped together a livelihood making short videos and working in a local fine arts collective. These days, Fitzgerald, now a Canadian citizen, is being inundated with offers to direct movies. Hollywood has tipped its hat to young Fitzgerald, sending him projects involving older fathers.

For the time being, Fitzgerald is content to finish shooting a long-planned, low-budget documentary, *Beauford*, about the man who published and purchased the popular pre-war gay-building magazine of the title. He is also taking his celebrity one step at a time. "I'm just figuring it out," he says, "and trying to stay out of my own way." Will the fledgling film industry beching, ached how is probably just the ticket. □

A novice film-maker  
wins accolades and  
Hollywood interest



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# Allan Fotheringham

## See Presto change from geek to Roboman

**J**evelers are really amateur anthropologists, digging into the midden that is a politician's soul. One midden about, looking over a span before or two, finding a piece of skull and eschewing it, hoping beyond hope to stumble upon a pearl or even a clod in character.

The microscope (Magnified as a shovelful), as Parkinson aptly so much er or act, is upon Preston Manning, the original who would be rock star. He's looking with Paul Martin's thoughts of himself as prime minister-in-waiting. He will do anything to achieve that goal, even so far as to offer up his body as a sacrifice to Michael Jackson. Here we lay something I was not.

The steely Parker Manning of yesterday is a wimp. The spin doctors of politics and the sanguins of the operating room have combined to wipe that Praetor Ichabod Come-vigore from reality. A character has emerged for the real goal in life—the urban Gatsby voter without whom the most bendable substance of all cannot reach the Holy Grail. 21 Sussex Drive.

It really is Presto! Manning now. Leaping Hugo Boss and Armani with a single bound. Sporting four hairlines to denote to never touch hairier than a silver bullet. One fears turning off the TV set hourly as only does he traumatically into another being.

So far, the man who would lead us into the Precedent Level has concluded that he had better surgery so as to never wear those geek glasses. A lovely hairdresser whose name is probably Bruce has reconstructed his soup bowl haircut and thinned his locks.

He allows that he had his birth fixed, just as any aspiring Simba-like dweeb when she first hit Hollywood looking for a casting coach. He has had a small-degree whitening on his nose box, to enhance that square chisel great the expression he underwent was too toothy. And the boyish in the look, the Edgars Bergsons to the Charlie McCaffries, have shucked the bib overalls and given him threads that are as if respecting stockbrokers will be Zoomed to the latest hot Toronto prep school.

Now, of this stagecoach of course is at a snitch, not even legal—the standing tobacco or selling smokes to underage teenagers. Everybody does it. But along date #4, Pierre Trudeau served at a Grey Cup game in Toronto's Exhibition Stadium, to do



the traditional ceremonial knickknack granted to a prime minister garbed in a cape and a sword that made him look like an artist from Montparnasse oil on a lunch break.

Chuchel had his famous cigar, which he smoked while more than he walked. Dwight Eisenhower, on holidays at the West Point military academy, caressed hair in life that he had "stolen" acting for three years under the celebrated Gen. Douglas MacArthur who tried to convert the corkscrew pipe into the presidency.

The difference is that all these lower-level personalties created their own images, however artificial. No hovering press agent was required, no focus groups necessary to monitor their image, no eager sales paving the way to a destination, a lone dresser there, a lone clock down the block.

Tradition personally allowed the finest men's store in Maypole, Bowton & Bowton of Sherbrooke Street, to declare an equal dividend. Churchill, who deserved like an amateur hero, made his famous "won't" for re-election at the war front into a falshorn note. MacArthur never wore a tie that contrasting the grants in the trenches that this egomaniac won one of them.

Peter Pratali has been turned into Roboman by Rick Anderson, the mid-life-career backroom type who was wandering in the consultancy business for one of the tired older parties before deciding that this new book of clay from the studio could be canверised into something that he is not. Dr. Frankenstein would create his own monster in time to become Opposition Leader for Question Period, which ranks right up there with the Oscar and Letterman shows for entertainment; it involves nothing but sounds good. Background music while you're recovering.

The sad part of this Michael Jacksonisation of Pierre Manning is that if his teeth, skin and voice can be imperceptible—what's with his policies? Trudeau's and Mulroney's essential core never varied. Trudeau still maintains his own province's demands should never be compromised.

Churchill's occasional war maps against appeasement Hitler were in mind and he had also succeeded in save Britain—and all the rest of us. MacArthur's sensible ego never wavered, and the little hubris-laden president, Harry Truman, had it knowably such him.

All the recent has-over-the elderly shrinks and Lucien Bouchard mousie the point. All the top politicians are, by definition, eccentric, not cool and ordinary types like the rest of us. Pacifying trail-blazers such as Fred. Paul Bourassa are still blurring through the Mackenzie King mould.

What would a shrank do with John Durkin's killer under licensing emanations? Or John Kennedy's need for fake sexual justification, with whatever? At least they were consistent in their eccentricities.

One passes over the Presto's surround to the demands of his Edgar Bergsons. They've produced a Roboman. Where's his inner core?



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